

WDNR does not commit to assign and report NCWS monitoring violations that occur when annual requirements change to quarterly because a sanitary survey is not updated within 5 years. WDNR management tracks the status of sanitary survey completion every quarter. According to the April 2014 Sanitary Survey Completeness High Priority Query, sanitary surveys were not conducted at 23 of the 9,665 (0.2%) WI NCWSs by the WDNR in the 2009 - 2013 five-year period.

4. Consumer Confidence Report (CCR) Delivery

40 CFR Part 141.152(b) requires existing WI community water systems (CWS) to deliver CCRs to its customers by July 1st annually. 40 CFR Part 141.155(c) requires existing CWSs to mail a copy to the WDNR no later than July 1st, followed by a certification October 1st.

WDNR does not determine a reporting violation if it receives a copy of the CCR by July 10th or a copy of the certification by October 10th to allow for postal delivery. The USEPA Office of Ground Water and Drinking Water has indicated in *File Reviews* conducted in other states that WDNR should determine a violation if they do not receive the copy of the CCR by July 1 or a copy of the certification by October 1.

5. Reporting Violations Associated with Labs Holding Samples Past Compliance Period End Dates

40 CFR Part 141.31(a) requires the supplier of water to report to the State the results of any test measurement or analysis within the first ten days following the month in which the result is received, or the first ten days following the end of the required monitoring period as stipulated by the State, whichever of these is shortest.

WDNR requires compliance samples to be electronically reported to them from laboratories. Their database is programmed to generate a monitoring and reporting violation the day after the monitoring period ends. The WDNR negates the violation even when the results are reported to them after the first ten days following the end of the required monitoring period. If by the time the violation is in the appropriate reporting domain, the sample results have still not been received by WDNR, the monitoring and reporting violation is reported to EPA.

When laboratories hold samples that were appropriately collected by the public water system within the compliance period but are not analyzed and reported by the tenth day after the monitoring period ends, the system is late in reporting the results to the State and it is an M/R violation that must be reported to EPA.

WDNR does not pursue enforcement with systems that collect samples on time but have reporting violations due to labs analyzing and reporting the result after the tenth day of the end of the compliance period. WDNR is working with specific laboratories to analyze radionuclide samples before the tenth day after the compliance monitoring period

ends to minimize the number of violation reporting errors associated with their policy to not report these late reporting violations to EPA.

WDNR acknowledges the following disinvestments from its primary responsibility to implement and enforce National Primary Drinking Water Regulations (NPDWR) during the October 2014 to September 2016 timeframe.

1. Reporting Treatment Technique (TT) Violations for the Ground Water Rule (GWR) and Disinfectants/Disinfection By-Products (D/DBPR) Rules

40 CFR Part 142.15 requires the WDNR to report PWS violations to EPA every quarter. To report GWR and D/DBPR TT violations, WDNR must upgrade to the latest version of FedRep, version 3.4. As of July 2014, WDNR is in the process of upgrading its reporting capability to include FedRep 3.4. This disinvestment will likely be resolved before the start date for the WI EnPPA workplan. If so, it will be struck from this document.

2. Correcting Errors in State Code Analogs to the GWR, Stage 2 D/DBPR and the Lead and Copper Rule Short-Term Revisions (LCRSTR)

In 2011, WDNR submitted to EPA for review primacy applications for the GWR, Stage 2 D/DBPR, LCRSTR, Filter Backwash Recycling Rule, Long-Term 2 Enhanced Surface Water Treatment Rule, the Variances and Exemptions Rule and other minor rule revisions. EPA completed the review of the GWR, Stage 2 D/DBPR and LCRSTR and provided correspondence to WDNR identifying a number of areas where corrections and clarifications needed to be made.

WDNR reviewed the EPA comments for the WI GWR primacy application and agreed to make the changes at the next available opportunity for revising the rule. They also reviewed EPA comments for the WI LCRSTR primacy application and anticipated making the requested changes by April 2016. WDNR agrees to refer cases to EPA when their current lack of regulatory authority precludes them from enforcing specific provisions.

If other rule packages submitted to EPA for review also need correcting, they will be added here for tracking purposes.

3. Sanitary Surveys and Monitoring Schedules for Non-Community Water Systems (NCWS)

Under 40 CFR Part 141.21(a)(3)(i), a NCWS serving 1,000 persons or fewer must monitor each calendar quarter that the system provides water to the public, except that the WDNR may reduce this monitoring frequency, in writing, if a sanitary survey shows that the system is free of sanitary defects. The WDNR cannot reduce the monitoring frequency for these systems to less than once/year. 40 CFR Part 142.16(o)(2)(i) requires the State to conduct sanitary surveys at NCWSs every five years.

Approximately 80% of the 10,000-plus Wisconsin NCWSs are allowed by the WDNR to monitor once/year. NCWSs assigned annual monitoring schedules by WDNR should be given quarterly schedules when sanitary surveys are not conducted at proper intervals to show that the system is free of sanitary defects.

WDNR does not commit to assign and report NCWS monitoring violations that occur when annual requirements change to quarterly because a sanitary survey is not updated within 5 years. WDNR management tracks the status of sanitary survey completion every quarter. According to the April 2014 Sanitary Survey Completeness High Priority Query, sanitary surveys were not conducted at 23 of the 9,665 (0.2%) WI NCWSs by the WDNR in the 2009 - 2013 five-year period.

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ends to minimize the number of violation reporting errors associated with their policy to not report these late reporting violations to EPA.

**FFY 2014-2016
ENVIRONMENTAL PERFORMANCE PARTNERSHIP AGREEMENT**

**Wisconsin Department of Natural Resources
&
United States Environmental Protection Agency**

By entering into this Environmental Performance Partnership Agreement (EnPPA), Region 5 of the United States Environmental Protection Agency (Region 5) and the Wisconsin Department of Natural Resources (WDNR) commit to work as partners with the public to improve Wisconsin's environmental quality, strengthen the relationship between our agencies, and account for our progress toward meeting environmental goals. This agreement outlines the principles, processes, and actions the agencies will take to meet these commitments.

In so doing, Region 5 and WDNR also recognize that this agreement does not extend to or substitute for independent interactions and agreements involving Region 5, WDNR, and any federally recognized Native American Tribe in Wisconsin.

This EnPPA is for FFY2014-2016. We hereby enter into this EnPPA which remains in effect until September 30, 2016.

For the Wisconsin Department of Natural Resources

Cathy Stepp, Secretary
Wisconsin Department of Natural Resources

Date

For the United States Environmental Protection Agency, Region 5

Susan Hedman, Regional Administrator
U.S. Environmental Protection Agency, Region 5

Date

**FFY 14/16
ENVIRONMENTAL PERFORMANCE PARTNERSHIP
AGREEMENT
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EXECUTIVE SUMMARY

Environmental Performance Partnership Agreement -- WDNR & Region 5

This FFY 2014-2016 Performance Partnership Agreement between the Wisconsin Department of Natural Resources (WDNR) and the U.S. Environmental Protection Agency (Region 5), continues the commitment of both agencies to work as partners in the administration and implementation of environmental protection programs and initiatives in Wisconsin. The innovations established in the past and reflected in this agreement provide greater discretion to states to allow them to be more effective in identifying and addressing critical environmental issues. Through this partnership, WDNR and Region 5 identified those environmental challenges and program areas where agency resources and expertise need to be directed - and then established the necessary procedures, roles, and responsibilities to meet the expectations established in the agreement.

This agreement does not change or affect any agreements or interactions that the State of Wisconsin or Region 5 has with any federally recognized Native American Tribes within the State.

The primary focus of this EnPPA is to:

- Document grant requirements in a comprehensive document.
- Document partnering efforts.
- Select joint priority projects and identify shared EPA Strategic Targets and Program Activity Measures
- Combine the EnPPA and Self-Assessment Reporting process.
- Improve Region 5 and WDNR negotiation on the integration of federal initiatives with state workplanning priorities.
- Define the relationship between the agencies and identify expectations from each partner.
- Build opportunities for flexibility and innovation as a way to be more efficient and effective.
- Develop and use an environmental decision making process that's focused on specific environmental outcomes - evaluating progress through the use of established performance measures.

Continued budget and workforce reductions have increased the importance of establishing clear priorities. This EnPPA further emphasizes the need to communicate and work as partners to articulate environmental outcomes, evaluate progress and adapt as needed to better achieve results, and strive to set ambitious but realistic expectations for what we are able to achieve jointly with the resources that are available.

As in the past, both agencies recognize the fact that additional improvements could be made in bolstering our partnership and improving communication through timely responses. This EnPPA is designed to continue the progress the Agencies have made, and serve as a commitment to that partnership.

I. INTRODUCTION

A. Parties to this Environmental Performance Partnership Agreement

The parties to this Environmental Performance Partnership Agreement (EnPPA) are the Wisconsin Department of Natural Resources (WDNR), representing the State of Wisconsin and the Region 5 representing the U.S. Environmental Protection Agency in Washington, D.C.

WDNR, as defined under State of Wisconsin statutes, is responsible for managing natural resources and protecting environmental quality in the State of Wisconsin.

Region 5 has a fundamental responsibility to protect the integrity of the Region's environment and the health of its diverse citizenry.

B. Purpose

The purpose of this EnPPA is to identify Region 5 and WDNR's responsibilities and define how we will work together for the benefit of the public and environment. The development and implementation of this partnership agreement - the decisions regarding the establishment of priorities and the evaluation of our progress - directly involve senior managers in both agencies.

Region 5 and WDNR's responsibilities include: meeting federal and state environmental requirements; outlining how both agencies will collaborate to achieve joint priorities; identifying WDNR and Region 5's work commitments and corresponding reporting requirements in the Self-Assessment Report (SAR) for the federal environmental grants covered by this EnPPA; and providing a basis for funding some of WDNR's environmental management activities. This EnPPA does not extend to or substitute for any agreements or interactions the State of Wisconsin or Region 5 has with federally recognized Native American Tribes in the State.

Senior managers for both agencies are involved in the development of this EnPPA, and are responsible for the successful administration of this agreement. Through the establishment of agency priorities that are then reflected in this agreement, agency management serves the role of setting the overall direction for these programs and for the scope and focus of the agreement. In addition, in developing and approving this agreement, agency management is making a commitment to the partnership between the agencies.

In addition to administering many programs, which are delegated by Region 5 or approved for implementation by the State, WDNR performs other activities that are financially supported through Region 5 administered federal grants. These financial resources support WDNR's planning, implementing, evaluating, and monitoring activities to achieve federal mandates and initiatives.

This EnPPA relies on WDNR's integrated work planning data system to plan and document work negotiated as part of this agreement. This work planning data system takes the place of multiple state and federal grant/work planning systems. Resource commitments included in WDNR work plans include both Federal and State funded activities. The work planning process incorporates needs and priorities agreed to between Region 5 and WDNR into each Agency's planning and budget systems.

While Region 5 and WDNR provide descriptions of each Agency's core environmental protection activities for the period of this EnPPA, there may be additional activities warranting attention that were not contemplated during the execution of the document. Region 5 and WDNR agree that coordination will occur, as appropriate, over the course of the EnPPA to avoid overlap and duplication of effort in addressing new issues and concerns as they arise. Furthermore, this EnPPA does not necessarily encompass every agreement between Region 5 and WDNR and that some other agreements and relationships will be described elsewhere. Also, other agreements are in place between other State agencies and Region 5 and are thus not included in this EnPPA. In any event, this EnPPA does not replace or supersede any statutes, regulations, or delegation agreements entered into with the State or pursuant to the State program approval process.

National Programs Included in this EnPPA

Following is a list of Region 5 administered federal grants covered by this EnPPA. For the following categorical grants, this EnPPA serves as the program work plan and outlines the specific details of the program plans that the two Agencies will accomplish.

- **Clean Air Act**
Air Pollution Control (sections 103 and 105)
- **Clean Water Act**
Water Pollution Control - surface water and ground water (section 106)
Nonpoint Source - State (section 319 grants)
Water Quality Management Planning (section 604(b) and section 205(j))
- **Safe Drinking Water Act**
Underground Injection Control (UIC)
Public Water System Supervision (PWSS)
- **Resource Conservation and Recovery Act**
Hazardous Waste Management Program (HWMP)
Leaking Underground Storage Tanks Administration, Enforcement, and Specific Sites

National Programs with Project Specific Requirements

During the term of the EnPPA, there may be other grants or programs authorized by Congress to be implemented by Region 5 and WDNR. Appropriate amendments to the EnPPA to address these and other activities will be completed in conformance with the procedures for amending the EnPPA in Appendix B.

Region 5 and WDNR cooperate on a variety of project specific activities. This EnPPA does not include the project specific workplans for these activities, but rather an overall framework for the relationship between Region 5 and WDNR for the specific programs. The following federal grants are covered by the EnPPA:

- **Pollution Prevention Act**
Pollution Prevention (P2) Grant Program
- **Comprehensive Environmental Response Compensation and Liability Act:** WDNR will comply with the terms and conditions specified in the individual cooperative agreements. (Site Assessment - Superfund Core - Superfund Specific Site Support Activities)
- **Clean Water Act**
Great Lakes Projects
Research and Demonstration Projects (Section 104(b) (3))
Clean Lakes Projects (sections 314 and 319, as appropriate)
Coastal Environmental Management (CEM)

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- **Water Quality Planning Grants to Local Planning Agencies** (Section 604(b) and 205(j)) Title VI, State Revolving Fund)

C. Region 5 & WDNR - Building on a Successful Partnership

For more than twenty-five years, the achievement of many national environmental goals has been accomplished by individual states through approval of state programs that implement federal programs administered by EPA. This approach has been very successful in improving the land, air, and water resources of the nation. Working together, Region 5 and WDNR have contributed to many environmental success stories.

As agencies and programs have matured, our concerns have changed. Problems are regional, national, and international in scale, as opposed to being confined solely to individual point sources. We have the capacity to measure pollutants at smaller and smaller concentrations and better understand the impact of these small quantities on human health and the environment. Changes in relationships between states and the federal government, as well as between the regulators and facilities, have also occurred.

While meeting regulatory requirements is still important, Region 5 and WDNR have moved from an approach that emphasized command and control in carrying out specific activities to an approach based more on environmental and human health goals and results. Both agencies recognized the need to move forward by shifting the measurement of our success from traditional activity outputs to environmental results. This EnPPA continues building on a successful partnership between WDNR and Region 5 with more emphasis on sustainability-driven environmental results to promote resilient communities, especially those that are disproportionately impacted by environmental justice concerns.

D. State / Federal Relationship and Mutual Accountability

Region 5 supported changes to the federal/state delegation system to encourage less process-oriented oversight, greater flexibility, use of environmental outcomes as measures of success, joint priorities, innovative environmental strategies, administrative efficiency, shared resources, and meaningful public involvement. As such, both parties understand that federal funding is contingent on U.S. Congressional federal fiscal year appropriations and the state may not be allocated or provided the amount of federal funding it requests in a particular fiscal year.

This EnPPA is designed to be consistent with the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles of NEPPS and proceed accordingly. One of the basic goals of the EnPPAs, prepared under NEPPS, is to shift the primary focus of the dialogue between Region 5 and WDNR away from activity measurement and toward identification of environmental priorities and the appropriate actions to address those priorities.

The NEPPS approach reflects the advances made in environmental protection and recognizes that existing policies and management approaches must be modified to ensure continued environmental progress. Balanced reporting and environmental indicators, complemented by other program performance measures, show fulfillment of Region 5 and WDNR commitments under the EnPPA and provide data to analyze the effectiveness of different approaches to environmental protection.

Recognizing the nature of contemporary environmental problems and the changing federal/state relationship, Region 5 and WDNR crafted previous EnPPAs to achieve more of the following:

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- Provide flexibility to address priorities across media and allow the allocation of resources to address those priorities.
- Improve environmental performance by establishing a meaningful system of measures and encourage innovative solutions to environmental problems.
- Demonstrate administrative savings through changes to the grant work plan and associated reporting process.
- Strengthen our partnership through shared goals and resources and use each other's strengths.

Each EnPPA provides a tool to establish priorities, joint planning processes, and mutual accountability. During the joint assessment meeting, Region 5 and WDNR discuss the appropriate level of Region 5 oversight concerning State program implementation and identify those program areas that are deemed to “need improvement.” However, Region 5 will continue to review and act on new regulations in program areas that impact State authorization or where federal statute or regulation requires Region 5 review and approval of State actions (e.g., water quality standards).

E. Commitment to Environmental Results – Management System, Performance Measures, Quality Management Plan, and Enforcement & Compliance Assurance

WDNR operates under a Strategic Plan which sets the Department's direction for protecting and enhancing the state's natural resources and providing a healthy, sustainable environment. A key goal established under the plan concerns the need to sustain the state's balanced and diverse ecosystems by protecting, managing, and using resources through sound decisions that reflect long-term considerations for a healthy environment and a sustainable economy. The need to understand the ramifications of management decisions and approaches on the environment - and to manage with specific environmental results in mind - is a basic premise of WDNR's philosophy.

Management System

In order to implement the Department programs in alignment with WDNR's strategic direction, we rely on a "Continuous Quality Improvement" management system. This agreement is designed in concert with the "Plan, Do, Check, and Adapt" quality management system used by WDNR. This system is WDNR's formal mechanism for making decisions for short- and long-term policy and program direction. It is a system whose components are interdependent, starting with broad, high-level direction from WDNR's mission, strategic plan, the Natural Resources Board, WDNR's Secretary and Department Leadership Team, resulting in specific plans to achieve goals and established environmental results and meet on-going business needs.

Our management system embodies the principles of continuous quality improvement and consists of the methods, processes, and tools we use to Plan, Do, Check, and Adapt our work.

Through the various components of this system we:

- Create focus for strategic goals and specific results.
- Establish and use performance measures to evaluate progress in achieving environmental results.
- Work with customers and partners to identify priorities and develop short range and long range plans and budgets to achieve those goals and objectives.
- Organize and implement work.

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- Check and evaluate progress on the outcomes of our work in order to create accountability.
- Adapt the work and/or how it's implemented to either anticipate or respond to changing circumstances or as a means of quality improvement.

Performance Measures

Imbedded in this system, and in WDNR's overall approach to achieving our mission, is the need to clearly establish the Department's objectives. This includes translating agency goals into specific outcomes that relate to changes and improvements in the environment, using performance measures to evaluate our progress in terms of achieving the results desired, and then taking steps to adapt as needed.

Performance measures are quantitative and qualitative references used to determine progress toward our goals. Balanced reporting and environmental indicators complemented by other program performance activity measures will measure fulfillment of Region 5 and WDNR commitments under the EnPPA and provide data to analyze the effectiveness of different approaches to environmental protection. Basic program performance and fiscal responsibilities will be monitored as required and as spelled out in this EnPPA. A fundamental goal has been to shift the primary focus of the Region 5 and WDNR dialogue away from activity measurement and to instead identify environmental priorities and appropriate actions to address those priorities, as well as measure environmental results achieved. Both Agencies have committed to working toward making this shift more pronounced in each EnPPA process.

Quality Management Plan

~~Because the programs included under this agreement involve the collection and use of environmental data by WDNR on Region 5's behalf, WDNR is also required to operate these programs following an approved Quality Management Plan. Through Federal regulations, Region 5 requires that recipients of funds for work involving environmental data comply with the American National Standard—Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs. The WDNR Quality Management Plan (QMP), approved by Region 5 on January 13, 2014, is a five year plan which documents how WDNR will comply with these provisions. WDNR submitted a draft revised QMP in June 2012. Following discussions and agreed upon changes with Region 5, WDNR submitted final revisions on August 28, 2013. As the current QMP expired on July 5, 2012, WDNR and Region 5 are working together to finalize a revised QMP to be approved by December 31, 2013. The revised QMP was approved by EPA in January 2014 with Susan Hedman's signature on January 13, 2014.~~

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WDNR and Region 5 have agreed that WDNR will continue to approve project-level Quality Assurance Project Plans (QAPPs) under this performance partnership agreement except for Superfund pre-remedial and remedial programs and the Superfund removal program. WDNR will submit program-level QAPPs to Region 5's Land and Chemical Division for the Leaking Underground Storage Tank (LUST) and Resource Conservation and Recovery Act (RCRA) Subtitle C inspection programs. U.S. EPA competitive assistance agreements may require the submission of project-level quality documentation for U.S. EPA review and approval as specified in the assistance agreement terms and conditions.

Region 5 is required to assess the implementation of the approved quality systems as well as extramural agreements which U.S. EPA provides financial assistance. WDNR will submit an annual letter (by January 31 of each year beginning in 2014) to Region 5 each year which:

- * identifies any minor revisions needed and/or incorporated into the QMP during the preceding year;
- * confirms that the QMP approved by Region 5 is still in effect; and
- includes complete signed electronic (i.e. pdf) copies of all QAPPs, by environmental program, which were self-approved by WDNR during the preceding year under this performance partnership agreement. In lieu of this annual submittal, and in an effort to systematize this process, the WDNR could also use EPA's QA Track system.

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- * confirms that the QMP approved by Region 5 is still in effect; and
- * includes complete signed electronic (i.e. pdf) copies of all QAPPs, by environmental program, which were self-approved by WDNR during the preceding year under this performance partnership agreement. In lieu of this annual submittal, and in an effort to systematize this process, the WDNR could also use EPA's QA Track system to submit the QAPPs.

Enforcement and Compliance Assurance

Compliance and enforcement activities to be accomplished during the term of this EnPPA are included in the detailed program plans. However, a summary of Region 5 and WDNR roles in compliance and enforcement is helpful.

The following points serve as a foundation for Region 5-WDNR relationships in respect to compliance and enforcement activities:

- Apply the most effective use of tools to encourage and maintain the compliance of sources of all sizes. This would include compliance assistance, administrative and/or civil enforcement, and criminal enforcement.
- Manage for environmental results which support each Agency's environmental goals and objectives.
- Ensure that compliance and enforcement information is complete, accurate, and timely consistent with Region 5 and WDNR policies.

Under this EnPPA, Region 5 and WDNR retain their authorities and responsibilities to conduct compliance assistance, compliance monitoring, and enforcement. These activities will be conducted in the spirit of cooperation and trust. Specific compliance and enforcement data needs will be discussed and shared per each Agency's applicable policies and regulations.

Region 5 conducts a State Review Framework (SRF) of WDNR's Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA) compliance and enforcement programs. Both Region 5 and WDNR are responsible for ensuring the recommendations made as the result of the SRF are carried out in a timely and effective manner. Region 5 and WDNR are currently conducting a review of WDNR's Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act compliance and enforcement programs, piloting an oversight approach that is focused on real-time problem solving and partnership for better program results. Both Region 5 and WDNR are responsible for ensuring that the recommendations made as a result of the review are carried out in a timely and effective manner. At the completion of the SRF, Region 5 and WDNR as a basis of regular communication between the two parties will ensure the recommendations are followed up until completion. Certain actions may also be added, as appropriate, to the program work plans within this EnPPA.

Region 5 also continues to carry out EPA's Next Generation Compliance (NGC) initiative, which promotes and implements innovative ways to increase compliance using advances in electronic reporting information, monitoring technology, and more effective rule design. Region 5 invites will work with WDNR to encourage participation participate in this effort by offering input into Region 5's NGC activities, and also jointly participating in NGC projects that would be beneficial to the enforcement and compliance program in Wisconsin.

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Region 5 will continue to support WDNR as it implements the Green Tier program, a performance-based, voluntary program that promotes and recognizes well performing businesses, communities, and other parties that commit to achieving superior environmental performance and additional environmental protection goals. The program is based on good compliance history by participants and annual reporting of accomplishments. The support may include:

- Compliance screening of applicants for Tier II, if requested and applicable to the elements of the charters.
- Provide comments or initiate discussions with WDNR regarding Tier II applications and/or charters that may affect federally delegated programs.
- Serve as an observer on the Secretary of WDNR's Green Tier Advisors, so as to learn from WDNR as this innovative program is implemented and to provide comments and feedback from a federal perspective.
- Explore ways to bridge the differences between Region 5's compliance audit policy and Wisconsin's compliance law.
- Work with WDNR to enable superior environmental performance through Tier II Green Tier participation contracts.
- Work with WDNR to explore the use of charters to create infrastructure, goals, and delivery systems that improve efficiency, effectiveness, and breadth of environmental performance. WDNR will continue to assure base levels of compliance for superior environmental performance companies through the use of systems recognized in the Green Tier law and the faithful execution of the protections contained within the law. For those companies in the Green Tier program the Department will conduct inspections when there is reason to believe that a participant is out of compliance with a requirement in an approval or with an environmental requirement. Regardless of program participation, the Department will address all situations that present an imminent threat to

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public health or the environment or may cause serious harm to public health or the environment.

F. Identifying WDNR and Region 5 Priorities & Mutual Areas of Emphasis

Another goal of this EnPPA is to take advantage of priorities that are distinct to the role of both agencies and actively pursue these priorities through partnering and joint efforts. In developing the workplans that are part of this agreement, each Agency considered actions that would further address the following Agency priorities.

WDNR Goals - WDNR continues to carry out its mission, by following the general direction provided in WDNR's strategic plan. That plan sets out the following four goals:

Strategic Goal I: Making People Our Strength

People, organizations, and officials work together to provide Wisconsin with healthy, sustainable ecosystems. In partnership with the public we find innovative ways to set priorities accomplish tasks and evaluate successes to keep Wisconsin in the forefront of environmental quality and science-based management.

Strategic Goal II: Sustaining Ecosystems

The state's ecosystems are balanced and diverse. They are protected, managed, and used through sound decisions that reflect long-term considerations for a healthy environment and a sustainable economy.

Strategic Goal III: Protecting Public Health and Safety

Our lands, surface waters, groundwater, and air are safe for humans and other living things that depend on them. People are protected by natural resources laws in their livelihoods and recreation.

Strategic Goal IV: Providing Outdoor Recreation

Our citizens and visitors enjoy outdoors recreation and have access to a full range of nature-based outdoor recreational opportunities.

To accomplish these goals, WDNR leadership and each of the individual programs, identify specific priorities – important strategic initiatives and critical on-going work. Those priorities serve as the basis for developing biennial budgets and workplans. Following are a number of important environmental initiatives that have been identified – initiatives WDNR will pay particular attention to in the coming two years. More specific program priorities and objectives to address these initiatives and other critical on-going needs are included in each of the workplans in Section II of this EnPPA.

- **Great Lakes Restoration and Protection** - Restoring and protecting water quality in the Great Lakes is a persistent challenge requiring myriad actions across all levels of government. In 2010, the Great Lakes Regional Restoration Initiative (GLRI) was promulgated by Congress to provide resources to restore the Great Lakes. These funds were focused on the Great Lakes Regional Collaboration priorities identified by the Great Lakes Governors. Wisconsin and our partners were successful in securing funds to begin restoration projects. Works continues today and into the near future to obtain funds that focus on the issues of contaminated sediments, habitat restoration, invasive species and all of

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the other beneficial use impairments for the AOCs. Continued EPA support of Wisconsin’s Great Lakes program and these projects will be critical in achieving restoration goals for the Great Lakes.

Wisconsin’s specific action plan developed by the Office of the Great Lakes, “Wisconsin Great Lakes Restoration and Protection Strategy,” provides a guide to moving restoration and protection forward. The Wisconsin Strategy for the Great Lakes includes eight priorities identified by the Great Lakes Governors including: habitat and species, nonpoint pollution, coastal health, persistent bioaccumulative toxins, Areas of Concern and contaminated sediment, invasive species, sustainability, and information and indicators.

- Wisconsin continues to move forward with the implementation of the Great Lakes Compact. Compact implementation, that is protection and management of water quantity in the Great Lakes Basin, is a state priority. The Compact sets up a structure to manage water use looking to establish a sustainable approach to water use and conservation. Wisconsin’s implementation of the Compact has been integrated into our overall groundwater and drinking water programs. **Invasive Species Prevention and Control** – Invasive, non-native aquatic and terrestrial plants, animals, and diseases are taking a toll on Wisconsin lakes, rivers, landscapes, as well as our recreation and economy. Implementation of the invasive species rule, Chapter NR 40 and providing information about the importance of controlling invasives will help keep new invaders from getting to Wisconsin in the first place, and allow WDNR to move more rapidly to contain new invasives to prevent them from getting established when they’re detected.
- **Improved Permitting and Administrative Efficiency** – A continued priority initiative is the ongoing streamlining of WDNR regulatory programs, supporting economic growth through administrative efficiency while maintaining high environmental standards.

Region 5
EPA Administrator Region 5 Priorities and Cross-Cutting Themes

Region 5 is implementing Administrator McCarthy’s vision for EPA in the Great Lakes Region. *We are committed to working towards a sustainable future and working for environmental justice.* ~~We are committed to working towards a sustainable future and working for environmental justice.~~ Region 5 is committed to working for Environmental Justice—people and places that are disproportionately impacted are the Region’s top priority. Science, transparency and the rule of law are Region 5’s core values.

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ADDRESSING CLIMATE CHANGE AND IMPROVING AIR QUALITY

- * Facilitating the development of carbon regulations for existing power plants
- * Reducing risk from air toxic emissions
- * Promoting energy efficiency and renewable energy in air quality planning, permitting, voluntary, and enforcement programs to reduce GHG emissions
- * Implementing a regional Climate Change Adaptation Plan

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- ◆ Implementing the UIC Class VI permit program to sequester CO2
- ◆ Enhancing partnerships and collaboration with states
 - ◆ Title 5 and PSD/NSR permit issuance — emphasis on disproportionately impacted areas
 - ◆ Compliance with CAA — emphasis on disproportionately impacted areas

TAKING ACTION ON TOXICS AND CHEMICAL SAFETY

- ◆ Enhancing partnerships and collaboration with states
 - ◆ RCRA permit issuance and TSCA approvals — emphasis on disproportionately impacted areas
 - ◆ Compliance with RCRA — emphasis on disproportionately impacted areas
- ◆ Improving materials management to minimize food waste
- ◆ Reducing exposure to toxic chemicals — emphasis on children's health and disproportionately impacted areas
- ◆ Ensuring compliance with lead rules
- ◆ Protecting the Country's borders from illegal chemical imports

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MAKING A DIFFERENCE IN COMMUNITIES

- ◆ Identifying and addressing EJ concerns through collaborative application of EJ Screen and consolidated community grants
- ◆ Eliminating beneficial use impairments in Great Lakes areas of concern
- ◆ Collaborating with HUD, DOT and other federal agencies to improve community health and infrastructure — emphasis on children's health and disproportionately impacted areas
- ◆ Restoring Superfund, Brownfield and Corrective Action sites to allow for productive use in communities
- ◆ Promoting greener demolition practices as an opportunity to establish sustainable land reuse options and associated community development goals

PROTECTING WATER

- ◆ Enhancing partnerships and collaboration with states
 - ◆ NPDES permit issuance — major focus on nutrients and mining
 - ◆ Compliance with CWA and SDWA — major focus on municipal wastewater and CAFOs
- ◆ Promoting green infrastructure to address stormwater management
- ◆ Restoring and maintaining water quality — especially in urban rivers, the Mississippi River Basin, and other water bodies heavily impacted by nutrient pollution
- ◆ Restoring and maintaining Great Lakes water quality and ecosystems

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LAUNCHING A NEW ERA OF PARTNERSHIPS

- * Enhancing state and tribal capacity through collaboration and partnerships
- * Partnering with states to share information on how EPA is using EJSCREEN, and exploring ways that this tool can be of value to states.
- * Advancing Next Generation Environmental Initiatives
 - ◆ E-Enterprise (Enterprise for the Environment)
 - ◆ Next Generation Compliance
 - ◆ Disaster Debris Recovery Database

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MAKING A DIFFERENCE IN COMMUNITIES

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➤ Improving air quality.

- * Enhance collaborative approach to addressing air quality improvement with the states.
- * Promote energy efficiency and renewable energy in air quality planning, permitting, and enforcement.
- * Reduce air toxics — emphasis on children's health and disproportionately impacted areas.

➤ Ensuring the safety of chemicals

- * Increase oversight of and worksharing with states.
- * Eliminate lighting ballasts that contain PCB's in our schools
- * Enforce lead rules, including abatement of lead pollution.

➤ Cleaning up our communities.

- * Eliminate beneficial use impairments in Great Lakes areas of concern.
- * Restore river systems by removing contaminated sediments and dams.
- * Collaborate with HUD, DOT and other federal agencies to improve community health and infrastructure — emphasis on children's health and disproportionately impacted areas.
- * Prepare Superfund, Brownfield and RCRA corrective action sites to develop renewable energy facilities and other projects that create green jobs.

➤ Protecting America's water:

- * Increase oversight of and worksharing with states.
- * Promote energy efficiency and water conservation in water quality planning and permitting.
- * Restore and maintain water quality especially in urban rivers, the Mississippi River Basin, and other water bodies heavily impacted by nutrient pollution.
- * Restore and maintain Great Lakes water quality and ecosystems.

Building strong state and tribal relationships:

- * Enhance tribal and state capacity.
- * Increase tribal and state collaboration.

Title VI of the Civil Rights Act of 1964

EPA implements Title VI under regulations at 40 C.F.R. Part 7. These regulations set out three key elements of a Title VI compliance program that are required for every recipient of EPA financial assistance: (1) designating a person to coordinate compliance with these regulations (40 CFR sec. 7.85(g)), (2) having a grievance procedure (40 CFR sec. 7.90), and (3) having a notice of nondiscrimination policy (40 CFR sec. 7.95). WDNR will ensure that all three of these elements are in place [note: probably want to set a date, not sure what though]. EPA will assist by providing examples of each element and templates that can be adapted by WDNR.

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Mutual Areas of Emphasis - Joint Priorities

The identification of joint priorities and opportunities for WDNR and Region 5 to collaborate to achieve environmental improvement will occur through program to program discussions. The process highlights the overall priority between Region 5 and WDNR to focus increased efforts on measuring and managing for environmental results. For the 2014-2016 EnPPA, we have identified the following joint priorities.

➤ **WPDES Permit Backlog**

WDNR continues to work on WPDES Permit backlog. Wisconsin attributes the permit backlog to loss of staff and an inability to fill these vacant positions, and the complexity of implementing new Thermal, Phosphorus standards and Sanitary Sewer Overflow (SSO) rules. The inability to fill vacancies and retirements in 2010 created a vacancy rate of over 30% in the WPDES Permit Program. In recent years, the Department received approval to fill positions and has filled most vacancies. The WPDES Program began 2013 with a 37.9% backlog for major WPDES permits and reduced it to 28.8 % by June 2, 2014. The WDNR continues to place workload priority on reducing its permit backlog.

The WPDES program completed a Lean Six Sigma project that identified additional strategies for reducing the permit backlog while reducing staff workload. The goal of this project was to identify strategies to achieve a statewide average issuance of 208 permits per year. WDNR will continue to implement recommendations of the Lean Six Sigma project report to reduce staff

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workload, reduce lead (delivery) time and improve customer satisfaction.

WDNR made significant progress in developing guidance and training new staff and reevaluating internal permit processes. Staff developed guidance and training on the implementation of thermal standards, phosphorus standards and the SSO rules. WDNR will strive to maintain a WPDES permit issuance rate of 85% for Major permits as well as the overall NPDES universe. It will also strive to achieve a 100% issuance rate of priority permits.

In recognition of the importance of maintaining a high level of current permits:

1. Region 5 will provide review of the permit templates to reduce the scope of comments needed for individual permit reviews. ~~WDNR expects that review and approval of the templates will allow Region 5 to concentrate more on improving the permits in areas representing significant issues of importance to EPA, rather than WDNR staff spending time addressing minor wording changes in each permit.~~
2. WDNR will manage the variance request submissions for EPA approval such that variances requests arrive at the Regional office at regular intervals and the records supporting the requested variances meet federal requirements. The recent recognition of arsenic as a problem in Lake Michigan will require additional WDNR staff time to formulate a strategy for variances or changing water quality criteria.
3. Region 5 will ~~expedite~~ review of all water quality standards variances to facilitate timely permit decisions.
4. Region 5 will prioritize its review of draft and proposed permits, focusing on permits with thermal discharges, discharges to nutrient impaired waters, permits that include or anticipate the use of adaptive management plans, and/or identify outfalls subject to the SSO Rule. ~~Region 5 will provide all of its permit review comments in one draft. Region 5 will provide comprehensive comments within the review period.~~
5. Region 5 will work closely with WDNR to resolve issues and expeditiously elevate issues that cannot be resolved at lower levels.
6. Region 5 will continue to provide expert assistance in thermal permitting and intakes (316(a)) and impingement and entrainment (316(b)) through review and comment.
7. Region 5 will provide assistance in implementing Wisconsin's phosphorus rule through expeditious draft and proposed permit review and comment on reviewable permits.
8. WDNR will evaluate and revise its permit renewal procedures in accordance with streamlining recommendations from the Lean Six Sigma project.
9. WDNR will include timely input of permit issuance data into ICIS.

➤ **Phosphorus Implementation**

Wisconsin's Phosphorus Water Quality Standards for streams, rivers, lakes and the Great Lakes took effect on December 1, 2010, following the publication of chapters NR 102 and NR 217 in the Wisconsin Administrative Register, which occurred on November 30, 2010. EPA approved the phosphorus standards, as described in NR 102, on December 30, 2010, and phosphorus implementation procedures in NR 217 on July 25, 2012. All permits issued after December 1, 2010, are subject to evaluation for phosphorus limits. The second edition of the Phosphorus Implementation Guidance will be available October 21, 2014, to aid Department staff and externals to understand implement these standards in WPDES permits.

Wisconsin also continues to draft guidance and refine complimentary guidance relating to water quality trading and adaptive management. Additional outreach and education efforts will be

made available once the guidance is approved to continue to inform and educate point sources and the public about these innovative compliance options. Wisconsin will provide Region 5 all WPDES permits with adaptive management programs and water quality trade programs for review.

The completion and approval of several large TMDLs for the state and pending approval of several other TMDLs adds complexity to permit issuance and requires additional staff coordination between various programs. While the WDNR remains committed to meeting its backlog goals, the additional time required to implement new TMDL requirements in WPDES permits may result in difficulty in meeting those goals. Implementation of TMDLs will be a challenge to phosphorus implementation and will require that additional staff time and resources be directed to this effort, as necessary.

~~Implementation of TMDLs will be a challenge to phosphorus implementation and will require additional staff time and resources.~~

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Wisconsin is investigating whether compliance with water quality based effluent limitations for phosphorus is economically infeasible because it will cause substantial and widespread adverse social and economic impacts on a statewide basis or to categories of point sources. This determination will be made by January 2015. Following the conclusions of this study and EPA review and approval, Wisconsin may employ a multiple discharge variance for phosphorus. If multiple discharge variances are allowed, then additional resources will be directed to revise and issue permits, as necessary.

~~If multiple discharge variances are allowed, then additional resources will be needed to revise and issue permits.~~

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Wisconsin also completed its Nutrient Reduction Strategy. The final strategy concluded that the Mississippi River Basin has achieved about a 23% reduction in phosphorus through implementation of Wisconsin's point source phosphorus removal requirements and through a number of nonpoint source management programs. For the Lake Michigan Basin, an estimated 27% reduction has been achieved.

➤ **MOA Addendum**

In July 2012, WDNR and EPA signed an addendum to the NPDES Memorandum of Agreement to address certain aspects of ss. NR 217.14 and 217.18. EPA has proposed an addendum to the MOA to address certain aspects of ss. NR 106.61, 106.62 and 106.75, as well as other non-thermal related aspects of ss. NR 106.38, 106.83, 201, 203, 205.07 and 283.45. EPA and WDNR will request signature of the addendum by December 2014. The goal is for EPA to approve NR 106 under 40 C.F.R. § 123.62 in February 2015, after the agencies sign the addendum. EPA agrees to provide timely review and approval of thermal limits to permits to support WDNR's effort to achieve its goal of maintaining an 85% permit issuance rate.

➤ **Thermal Implementation**

Wisconsin's Water Quality Standards for Temperature took effect on October 1, 2010, following the publication of subchapter II, Water Quality Standards for Temperature, of NR 102 and subchapter V, Effluent Limitations for Temperature, and subchapter VI, Alternate Effluent

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Limitations for Temperature of NR 016 in the Wisconsin Administrative Register, which occurred on September 30, 2010. EPA approved the thermal standards, as described in NR 102, on March 7, 2011. EPA continues its review of NR 106 under 40 C.F.R. § 123.62. All permits issued after October 1, 2010, are subject to evaluation for thermal limits. The second edition of the Thermal Implementation guidance was developed and continues to be refined as implementation experience is gained.

➤ **Monitoring Strategy:**

Wisconsin is revising its Water Resource Monitoring Strategy and has had ongoing dialogue with Region 5 to address deficiencies and gaps in meeting its Clean Water Act obligations. A Monitoring Success Work Group (formed in November of 2013) identified gaps and deficiencies in WDNR's monitoring strategy, and is on track to have a completed revision by December 2014. However, work will need to continue into 2015 and early 2016 in order to develop an implementation plan and to continue to incorporate results from ongoing data analysis of Wisconsin's stream and watershed monitoring activities from 2010-2013, as well as results from the Pilot Watershed Studies.

➤ **List of impaired waters**

Under section 303(d) of the 1972 Clean Water Act, states are required to develop lists of waters that do not meet water quality standards. As Wisconsin implements its new statewide phosphorus water quality standards, it needs to determine whether specific waterbodies across the state are meeting these standards in addition to the remaining water quality standards.

Since the adoption of statewide phosphorus criteria, Wisconsin has submitted two impaired waters lists (2012 and 2014). Both lists include waters that exceed numeric water quality criteria for phosphorus, and have demonstrated biological impairment in category 5A. Waters with phosphorus exceedances which have no demonstrated biological impairment (either because bioassessment shows no impairment or because bioassessment data are not available) were listed in category 5P and given a lower priority for TMDL development. Milestones for the preparation and approval of the 2016 list are:

1. Wisconsin is in the process of revising administrative rules to add biological criteria and incorporate biological response indicators for assessment of phosphorus-related impairments. WDNR anticipates that these rule revisions will not be adopted before the 2016 list is compiled, so phosphorus-related assessments for the 2016 list will be based on the current criteria and assessment methods, including the use of category 5P. The proposed rule revisions are expected to go to the Natural Resources Board in August 2016.
2. WDNR and Region 5 will continue to discuss approaches for incorporating biological response indicators in Wisconsin's water quality standards and assessment methods, as well as other areas of assessment method improvements, with the goal of establishing a listing methodology which results in a mutually-agreeable impaired waters list for 2016.
3. WDNR proposes that the draft 2016 Wisconsin's Consolidated Assessment and Listing Methods (WisCALM) be available for public comment by November 1, 2014.
4. Region 5 will provide written comments on the draft 2016 WisCALM guidance by December 1, 2014.
5. WDNR proposes the draft 2016 impaired waters list be available for public comment by November 1, 2015.

6. Region 5 will provide written comments on the 2016 impaired waters list by December 1, 2015.
7. WDNR and Region 5 will discuss options during January-February 2016.
8. WDNR will submit final 2016 impaired waters list to Region 5 on April 1, 2016
9. Region 5 will take action to approve/disapprove list by May 1, 2016.

In December 2013, EPA released a new framework for managing Clean Water Act 303(d) program responsibilities, entitled “A Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program.”

1. Region 5, in its 2016 Integrated Report Guidance updates or through discussions with WDNR, will provide guidance on implementing the new Section 303(d) program framework. Guidance should include:
 - a. Factors to consider in determining whether TMDLs or alternative restoration approaches are best suited to address impaired waters listings.
 - b. Description of the types of restoration and protection plans that are acceptable for addressing impaired waters, in lieu of TMDLs, and can be counted towards the newly proposed performance measure (WQ-27).
 - c. Clarification on the expected timeframes or need for completing TMDLs when alternative restoration plans are developed for impaired waters.
2. WDNR will meet the Vision’s Prioritization Goal by identifying priority areas for the development of TMDLs or alternative restoration plans for impaired waters (or protection plans for unimpaired waters) in its 2016 Integrated Report and associated assessment and geospatial data submittal to Region 5 by April 1, 2016.

WDNR and Region 5 will jointly work to reduce water resource contamination by nutrients (nitrogen) and associated co-contaminants through the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) programs. Contamination impairs the quality of surface and ground waters including sources used for drinking water. A focused integrated approach to protecting and restoring the quality of water resources includes:

1. Identifying specific prioritized areas where CWA and SDWA resources can be used jointly to prevent and mitigate contamination.
2. Providing joint input on prioritizing CWA and SDWA State Revolving Funds and intended use plans for controlling point and non-point sources within drinking water source areas.
3. Addressing nutrient delivery within the Mississippi River Basin and focused reduction activities to benefit public water systems downstream on the Mississippi River.
4. Addressing source water protection in the state’s nutrient reduction strategy.
5. Jointly establishing strategies giving enforcement priority within source water protection areas.
6. Routinely analyzing for geographic overlap between nutrient trading and source water areas.
7. Identifying other CWA and SDWA opportunities to integrate source water protection.

➤ **Legal Authority Review**

Representatives of the Department met with Region 5 to discuss the July 18, 2011, letter from EPA signed by Regional Administrator, Susan Hedman. The July 2011 letter contained 75 items related to EPA’s review of Wisconsin’s legal authority under which it administers the National Pollutant Discharge Elimination System Program. The Department will continue to report to

EPA on progress made in addressing the concerns outlined in the letter.

In an October 2011 letter, WDNR committed the state to resolve the 75 issues through four parallel processes, including rulemaking, statutory amendments, clarification of Wisconsin's Attorney General's statement and potential amendments to the Wisconsin-EPA memorandum of agreement for the NPDES program. In a December 2012 status letter from EPA to Wisconsin, information on the manner in which EPA and WDNR agreed to resolve the 75 issues was outlined. In May 2012, WDNR proposed eight rulemaking packages and committed to move these rule making packages forward as quickly as possible. Additionally, EPA working with WDNR concluded that several issues (5, 7, 10, 12, 19, 44, 51, 58, 59, 63, 64, and 75) are resolved (based on review of AG letter). WDNR agreed to amend rules pertaining to issues 7, 10, and 51. EPA agreed that issues 18, 21, 22, 38, 39 and 66 are amendable through an addendum to the MOA.

The status of rule packages to address issues 7, 10 and 51 are as follows:

- Package 1 – Sanitary Sewer Overflows: NR 101, 205, 208, 210. The effective date of the rule revisions was August 1, 2013.
- Package 2 – Pretreatment Revisions and Streamlining: NR 216. The effective date of the rule revisions was February 1, 2014.
- Package 3 – Implementation/Toxics/Cooling Water/Mercury/GL Mixing Zones: NR 106. The Solicitation of Economic Impact Analysis Information was completed May 21, 2014.
- Package 4 – Acute limits, chlorides, WET issues: NR 106. Proposed rule revisions are in progress.
- Package 5 – Technology-based Limits: NR 106, 200, 205, 220. Proposed rule revisions are in progress.
- Package 6 – Permit Application/Processing: NR 200, 201, 203, 205. A public hearing was held May 1, 2014.
- Package 7 – Analytical test methods: NR 219. The Natural Resources Board adopted the rules on April 9, 2014.
- *—Package 8 – Storm Water Program revisions: NR 216. Rule revisions will proceed during the 2014-2016 EnPPA timeframe.

~~WDNR/EPA Joint Priority for Improving Water Quality in the Great Lakes Region~~

~~Shared Environmental Goals—USEPA and the six States have worked closely to develop a set of five shared environmental goals to enhance our joint efforts to protect and restore our valuable water resources and to measure our accomplishments. The enumeration of measurable goals is a significant step in collectively defining our long-term vision for clean and safe water. The goals will be used to more comprehensively report on the progress in and status of, improving water quality in the Great Lakes Region. The five agreed upon Shared Goals are:~~

- ~~Goal 1: All waters in Region 5 will support healthy aquatic biological communities.~~
- ~~Goal 2: All waters in Region 5 will support fish populations with safe levels of contaminants.~~
- ~~Goal 3: Designated swimming waters in Region 5 will be swimmable.~~
- ~~Goal 4: All people in Region 5 served by public water supplies will have water that is consistently safe to drink.~~

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~~Goal 5: The quantity and quality of critical aquatic habitat in Region 5, including wetlands, will be maintained or improved.~~

~~These goals will assist EPA and Wisconsin in joint priority setting and planning to more effectively target our programmatic work.~~

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➤ **WDNR/EPA Joint Priority for Improving Air Quality Regulatory Implementation**

The identification of joint priorities and opportunities for WDNR and EPA Region 5 to collaborate to achieve environmental improvement will occur through program to program discussions. The process highlights the overall priority between EPA Region 5 and WDNR to focus increased efforts on measuring and managing for environmental results.

Objective: WDNR and EPA Region 5 staff will work together in a variety of air quality management areas to ensure that Clean Air Act obligations are met, and to provide a foundation for a productive and stable working relationship between the agencies to improve air quality regulatory implementation. This priority will build upon the positive relationship that the agencies have developed over the years, a relationship that has yielded substantial air quality benefits for citizens across Wisconsin. Our agencies agree that early and transparent communication, routine exchange of work products for constructive comment, and a commitment to the environment have been key elements of our programs for many years. We agree that when issues arise, elevation should occur in a timely manner, as a positive opportunity to solve problems quickly and achieve positive environmental results. In line with these principles, this joint priority will provide opportunities for the two agencies to work more efficiently as program resources tighten and Clean Air Act requirements increase in scope and intensity.

Actions to be accomplished or Program Update:

As part of the joint priority, the agencies will engage in the following activities:

1. A document describing both WDNR's and EPA's roles and responsibilities in the SIP development, review and approval process will be drafted and will be signed off on by both agencies. This will include:
 - a. Resolution of issues related to existing State Implementation Plan (SIP) submittals currently before EPA for rulemaking.
 - b. A systematic review of the SIP process – including an identification of the roles of both agencies within that process, including a review of new state rulemaking procedures.
 - c. Establishment of processes and elevation procedures for resolving SIP issues, including standard procedures for review and comment on state rules, and incorporating outcomes of the NACAA/ECOS/EPA SIP Reform Workshop as appropriate.
2. Improve information sharing on EPA rules and guidance designed to provide greater clarity on developing air quality issues.
3. Continue activities to address petition orders and backlogs in CAA permitting programs, with an emphasis on utility and refinery permits.
4. EPA will support WDNR's Permit Streamlining rule development efforts to explore and evaluate opportunities to simplify and streamline its air permitting program. WDNR will include EPA in stakeholder meetings, and provide EPA with drafts in a timely manner. EPA will participate in stakeholder meetings, review draft documents in a timely manner,

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articulate concerns early in the process and provide constructive comments on proposed rule language. The two agencies have agreed to work together on this initiative and corresponding rulemaking.

Additional information:

EPA contact: John Mooney at 312-886-6043

WDNR contact: Bart Sponseller at 608-264-8537

G. Evaluation of Progress – Reporting

A significant element of the EnPPA is the annual Self-Assessment Report (SAR) which contains WDNR and Region 5 self-assessments. This SAR is a critical component of the plan, do, check and adapt process and serves other functions like identifying progress through environmental performance (like indicators and Joint Priorities) and to document fulfillment of all WDNR reporting requirements for EPA grants with the exception of some fiscal reporting.

This EnPPA contains the reporting commitment established between Region 5 and WDNR managers who implement programs. WDNR's commitment to support national databases, report information identified in National Core Performance Measure requirements, and meet other Region 5 information needs are identified in the program charts in Section II. Reporting will cover all grant-eligible activities. This reporting will be discussed in the annual self assessments prepared by Region 5 and WDNR.

Nothing in this EnPPA prevents the Agencies from determining that additional ways to streamline or modify reporting are appropriate. The Agencies will have the flexibility to amend reporting activities through negotiated amendments to this EnPPA.

FFY 2014-2016 EPA / WDNR ENPPA -- APPENDICES

APPENDIX A – ROLES AND RESPONSIBILITIES FOR REGION 5 AND WDNR

A. Shared Responsibilities

Region 5 and WDNR have complementary missions to protect and restore the environment. In order to accomplish these missions, Region 5 and WDNR must maximize their resources and minimize activities that do not contribute to these objectives. Shared responsibilities include implementation of many federal programs. The success of these programs relies on provisions for adequate resources, clear distinction of roles, and a high degree of cooperation between agencies. The involvement of stakeholders and opportunity for public participation is also a key shared responsibility and equally as critical to successful development and implementation of these programs.

During this EnPPA, Region 5 and WDNR will work toward a goal of optimizing the use of the agencies' combined resources to assure compliance. In order to best employ the full benefits of their partnership relationship, Region 5 and WDNR will identify targets for compliance and enforcement activities and share the responsibility for initiating appropriate enforcement actions.

Region 5's and WDNR's compliance ~~assistance~~-assurance efforts will be measured and reported.

Region 5 and WDNR will mutually and openly share information on enforcement and compliance ~~assistance~~-assurance activities.

The following two sections detail the roles and responsibilities of each agency in providing quality environmental programs which protect public health and Wisconsin's environment.

B. Region 5 Roles and Responsibilities

The Federal government has a fundamental responsibility to protect the integrity of the nation's environment and health of its diverse citizenry. Both Region 5 and individual states conduct environmental protection activities. Region 5 carries out an important role by directly implementing some Federal programs, taking enforcement against violators, delegating or approving Federal programs for State operation, and reviewing and evaluating State program performance. Region 5 has a fiscal and statutory responsibility to ensure that Federal programs are carried out consistently across the country. In this capacity, its program review role incorporates a variety of activities in general, from annual meetings with State program managers to file reviews. Region 5 also builds the capacity of States and other partners by offering training and technical assistance, sharing work efforts, and conducting scientific and policy research.

Because pollution does not respect political boundaries, Region 5 must ensure that a consistent level playing field exists across the nation. Region 5 performs this vital function by providing leadership when addressing environmental problems that cross

state, regional and national borders and by ensuring a consistent level of environmental protection for all citizens. The Agency fulfills these responsibilities by working with its many partners - other federal agencies, states, tribes, and local communities - to address high priority environmental problems. Region 5 is committed to promoting and supporting environmental justice with a goal of eliminating disproportionate environmental impacts on low-income and people of color. To the maximum extent possible, Region 5 will take environmental justice into account in carrying out its responsibilities and commitments under this EnPPA. The Agency is also committed to people having access to good data for informed decision-making, both inside and outside the Agency.

Specific compliance and enforcement activities to be accomplished during the term of this EnPPA are included in the media-specific appendices. However, Region 5 and WDNR believe it is appropriate to highlight the federal role in compliance and enforcement in this EnPPA. Although WDNR is authorized to implement many of the federal environmental programs, both agencies agree that there is an ongoing federal role in environmental protection. Under this EnPPA, Region 5 and WDNR retain their respective authorities and responsibilities to conduct enforcement and compliance assistance activities.

Region 5 will continue to maintain a federal enforcement and compliance presence in Wisconsin and Region 5 in order to support State enforcement and compliance activities and to serve as an incentive to compliance.

Both federal and state enforcement activities serve to ensure that regulated entities which violate environmental requirements do not gain a competitive advantage over those expending the resources to comply with environmental laws. Region 5 will focus on national and regional priorities including, but not limited to, multi-media inspections, national companies with multi-state non-compliance, selected priority sectors, and prosecution of criminal violations. Region 5 will also assist WDNR in conducting inspections, enforcement actions, and in providing compliance and technical assistance to the State and its regulated entities. Region 5 will continue to take enforcement actions, where appropriate, to ensure implementation of federal programs, and will coordinate with and inform WDNR when such actions are being considered. Specific federal enforcement and compliance assistance responsibilities are outlined in the existing EPA guidance documents.

While individual media program activities will be coordinated on a program-specific basis, multi-media activities will be coordinated through Region 5's Office of Enforcement and Compliance Assurance and WDNR's Office of Environmental Enforcement.

C. WDNR Roles and Responsibilities

WDNR is responsible for implementing State and State-authorized, approved, or delegated federal programs that protect and enhance Wisconsin's natural resources and for coordinating the many State administered programs that protect the environment and

provide a full range of outdoor recreational opportunities.

WDNR's environmental management responsibilities focus on improving and protecting the quality of Wisconsin's air, land, surface water, and groundwater to support a diverse environment and protect fish and other aquatic life, wildlife, and human health. WDNR, in cooperation with Region 5: prevents waste generation, pollution, and spills; implements programs to manage waste and by-products, and directs the cleanup at contaminated sites and groundwater. This is done through its wastewater management, water quality, safe drinking water, waste management, remediation and redevelopment, and air quality activities.

In achieving its responsibilities to protect human health and the environment, WDNR works in partnership with citizens, communities, businesses, advocacy groups, other state agencies and the federal government. In addition to working in partnerships, the interrelationships among our air, land, and water resources require an integrated approach to ecosystem management. In its organization, WDNR has established geographic management units, based mostly on major river basins, which will be the focus of an interdisciplinary approach to environmental and natural resource management. Direct citizen participation in setting goals and priorities within these geographical management units is key to WDNR natural resource and environmental decision-making.

D. Role of the Public

Since the Conservation Act of 1927, which established citizen oversight of natural resource policy, Wisconsin has viewed the direct involvement of its public as essential to responsibly managing the State's natural resources. Citizen members of the Natural Resources Board, the Conservation Congress, participants at public meetings and hearings, advisory groups and all others who comment are directly involved in natural resource management and environmental protection.

It is important to note that this EnPPA is built around a system of public participation that will accomplish several important public policy goals:

- Establish environmental priorities based on local, place-based needs.
- Increase public confidence in the national and state environmental management systems.
- Provide an open, inclusive, and transparent government.

Both partners in this EnPPA understand the importance of early public involvement. Communities, including all types of stakeholders and agencies, are viewed as equal partners in the dialogue on environmental issues. The Region 5 Senior Management and WDNR Department Leadership Team (DLT) have actively looked for ways to improve stakeholder outreach, striving to get more involvement in environmental decision-making. Some shared guiding principles for public outreach and involvement include:

- Encourage and promote the active participation of communities and stakeholders by giving them a voice in all aspects of environmental decisions which affect their lives.

- Institutionalize public participation, with recognition of the value of community knowledge, and the underlying promise that the public's contribution will influence decisions.
- Utilize cross-cultural formats and exchanges in order to assure that the interests and needs of all participants are understood.
- Provide equal access to decisions made about the environments in which people live. Maintain honesty, integrity, and scientific professionalism in the process of articulating goals, expectations, and limitations.

Both agencies are committed to making this EnPPA a meaningful collaboration in the work they share. Both hope to garner increased public confidence in their efforts to improve the environment. To invite public comment on this EnPPA, public availability sessions will be held and public review sought at critical stages in the Agencies' planning and decision-making process. News releases and fact sheets will keep the Wisconsin public informed.

E. Principles of WDNR/ Region 5 Compliance/Enforcement Relationship

WDNR and Region 5 share a commitment to protect Wisconsin's citizens and environment. Achieving and maintaining compliance with environmental requirements is a major part of this shared commitment. To guide the agencies in this shared responsibility, Region 5 and WDNR agree on the following objectives as guiding principles:

- Manage for environmental results which support agency goals.
- Encourage and maintain compliance through the most effective application of the full spectrum of tools.
- Use our respective resources and abilities as efficiently as possible.
- Institute joint, advance planning for the most effective coordination.
- Enhance open and honest communication between our agencies.

➤ **Joint Planning, Priority-Setting, and Sharing Responsibilities for Enforcement & Compliance Assurance**

Our goal is to promote greater joint planning, priority-setting, and sharing of responsibilities between Region 5 and WDNR in order to achieve more efficient deployment of resources, higher levels of coordination, and greater compliance with environmental laws. To accomplish this goal, Region 5 and WDNR agree to:

- Use the EnPPA process to determine compliance and enforcement priorities and work sharing arrangements.
- Seek opportunities for sharing work and resources, as specified in the specific program work plans.
- Share expertise, as part of work sharing and coordinated planning, to address areas of concern or lack of expertise in specific sectors.
- Tailor compliance and enforcement priorities to address environmental needs in Wisconsin as well as EPA regional and national priorities. WDNR will identify

its needs to Region 5 by specific program. Region 5 will identify regional and national enforcement priorities to WDNR.

- Identify needs so that Region 5 and WDNR can work alongside and support each other efforts.
- Recognize that state and national program directions may shift during the course of this EnPPA, and commit to discussing any needed shifts, the feasibility of implementation and possible disinvestment needed to accommodate any shifts.

➤ **Consultation on Enforcement and Compliance Assurance Activities**

Ongoing communication and consultation between Region 5 and WDNR is critical for a smooth and productive working relationship. Our goal is to improve communication and consultation between our agencies. To accomplish this goal, WDNR and Region 5 agree to improve communication and coordination to foster an atmosphere of early and meaningful communication between Region 5 and WDNR for discussing priorities and providing notification between WDNR and Region 5 of any upcoming significant inspection or enforcement action.

To emphasize that compliance and enforcement activities and priorities are clearly communicated between Region 5 and WDNR senior and mid-level management, the following responsibilities are identified:

- Planning and priority-setting is accomplished at the respective section chief level during negotiation of this EnPPA and as needs arise, during the EnPPA.
- Routine communication is a program-to-program responsibility at the respective section chief level.
- Sensitive communication, defined as multi-media, high profile, conflict-based, that requires a policy interpretation or which is an emergency, is the responsibility of the respective Region 5 Branch Chief to communicate with WDNR's Division of Enforcement and Science Administrator, or respective designee.
- EPA will take enforcement actions in Wisconsin as necessary and appropriate to ensure implementation of federal programs and as a deterrent to non-compliance, in accordance with the communication and coordination activities outlined above. There may be emergency situations or criminal matters that require Region 5 to take immediate action (e.g., seeking a temporary restraining order). In those circumstances, Region 5 will consult with the State as quickly as possible following initiation of the action.
- Coordinate compliance and enforcement actions, on an ongoing basis, to ensure efficient and effective use of resources.
- Ensure effective communication between senior and mid-level management to ensure that Region 5 and WDNR front-line staff receive consistent messages.
- Communicate, as regulatory agencies, the message that escalated enforcement is neither a positive or negative issue for the agencies and should be considered when non-compliance occurs. There is a need for deterrence and the need to punish violators even when they achieve compliance or when there is criminal activity.

| ~~Draft July 9~~ draft August 14, 2014

- Recognize that Region 5 has a responsibility to foster consistency among State enforcement programs.

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APPENDIX B – ADMINISTRATION OF THE ENPPA AND CONFLICT RESOLUTION

A. Needed Changes in the EnPPA

Region 5 and WDNR both recognize that most multi-year EnPPAs need change to make them current, relevant, and supportable. Since both Agencies also support continuous quality improvement (plan, do, check and adapt), it is important to designate a process to review the EnPPA and propose changes. These changes would then be implemented through the Amending the Agreement process (see Section V. C.).

In order to facilitate the formal review of the EnPPA, Region 5 and WDNR individual programs must have some type of dialog to identify problems and issues. This dialog needs to occur no later than the end of February of each year. This information needs to be shared with the EnPPA program contacts, in both Agencies, so that they can share the information and deal with those issues as well as multi-program issues at the routine program to program discussions.

At least one formal program review and discussion, between the two Agency EnPPA teams, needs to occur during March of each year. It is intended that the meeting focus on progress, new issues, and solutions and that by the close of the meeting, proposed changes would have been developed in draft form. The EnPPA team leaders would then route the proposed EnPPA changes to Agency programs for comment. Proposed changes must be agreed to and approved by June 30.

This formal process is not intended to limit program to program discussion nor does it preclude additional changes agreed to by both Agencies. The overall philosophy of this EnPPA is to encourage dialog and partnering.

B. Conflict Resolution

Region 5 and WDNR realize that disagreements may occur, that differing perspectives are a normal part of the state/federal relationship, and that timely resolution of disagreements is in the public's and both Agencies' best interests. Accordingly, Region 5 and WDNR are fully committed to using a mutually agreeable dispute resolution process to handle the conflicts that may arise as we implement environmental programs. We also agree to view the conflict resolution process as an opportunity to improve our joint efforts rather than as an indication of failure to achieve goals. To that end, we endorse the following negotiation principles:

- Approach disagreement as a mutual problem requiring efforts from both Agencies to resolve.
- Approach the discussion as an opportunity to improve work activities and relationships in developing products through joint efforts.
- Empower staff; i.e. aim for resolution at the staff level, while keeping management informed.
- Consider all issues raised, but establish priorities to ensure that significant issues receive attention first.
- Observe reasonable time frames, elevate disputes as quickly as practicable; in any event the negotiation process should not exceed 90 days for formal conflict / non-

emergency situations.

In keeping with these principles, both Agencies agree to attempt to resolve conflicts at the lowest possible staff level when disputes occur between WDNR and Region 5. This is balanced with recognition that elevation is encouraged and appropriate when timely resolution is not forthcoming.

Informal Conflict Resolution

Conflict can develop at all levels, from disagreements over wording in a report to significant differences over implementing federal policy. Region 5 and WDNR will strive to implement the following principles to resolve conflicts as they arise:

- Encourage staff to identify issues that they can resolve immediately; recognize and identify those issues that are caused by a larger system and need broader input to resolve.
- Diagnose the underlying cause of the problem or conflict and involve those who can affect the outcome.
- Promptly disclose underlying assumptions, frames of reference and other driving forces.
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to assure acceptance by all stakeholders.
- Document discussions and decisions to minimize future misunderstandings.
- Keep Region 5 and WDNR EnPPA program and team contacts informed as to the resolution.
- If a dispute cannot be resolved at the staff level, with proper input from involved managers and participants, the dispute is elevated to the formal dispute process.

Formal Dispute Resolution

The formal dispute resolution process is invoked when the informal process does not result in a resolution acceptable to all parties or if it fails to resolve all issues associated with a dispute. To elevate an issue for formal dispute resolution the following procedure should be followed:

- Involved staff must clearly define the dispute including background information, options for resolving and pros and cons thereof. Involved staff must define the dispute resolution process including the time frame that will be used to continue to elevate a dispute until it is resolved.

If a dispute can't be resolved at the staff level, the dispute can be elevated to the first line supervisory level. Either party may elevate the issue and the other party will respect the decision and continue to work to resolve this issue. The supervisory referral and resolution process will continue to the level of the Region 5 Regional Administrator and WDNR Secretary, if necessary. If an agreement still cannot be reached, Region 5 Regional Administrator and WDNR Secretary can agree to jointly refer the dispute to the appropriate Assistant Administrator at EPA Headquarters for resolution. If there is no joint agreement by the Regional Administrator and WDNR Secretary to elevate the dispute, the conflict resolution process terminates. Another alternative is for WDNR to

initiate the formal grant dispute procedures outlined in the Code of Federal Regulations 40 CFR 31.70. Both Agencies agree that no legal rights are given up in agreeing to this dispute resolution process.

The aim is to resolve disputes as quickly as possible and, if unresolved at the end of three weeks, the issue should be elevated to the next level in each organization. Escalation should be to comparable levels in each organization and accompanied by an issue paper. The issue paper should be updated at each level, in each Agency, and include the information above, and document the actions and decisions that were and were not taken. A conference call and/or other consultation arrangement are strongly encouraged should it become necessary to elevate the dispute to the next management level.

Shortly after completing a formal dispute resolution process, both agencies should briefly document which elements or processes in the negotiation were most and those least effective in reaching agreement. These observations should be shared between the Agencies. This documentation will serve as a foundation for refinements and improvements in the conflict resolution process.

C. Amending the EnPPA

Region 5 and WDNR have complementary responsibilities to protect and enhance Wisconsin's environment. In order to accomplish these responsibilities our agencies must efficiently use the institutional resources we have available. Both Agencies recognize that in order to help manage work efforts, we must agree on how and when applicable State and Federal guidance will be handled. We agree that federal program guidance must be received on a timely basis in order to be considered in WDNR work planning. We also agree that the WDNR must share its work planning guidance with Region 5 in a timely manner. For purposes of this EnPPA, only the USEPA National Program Guidance and other Region 5 guidance received by WDNR by May 1 will be considered in WDNR work planning for the first year of EnPPA. It is intended that guidance received after May 1st and prior to the next May 1st will be considered as part of the Agreement adjustment process for the last 15 months of the agreement. This doesn't preclude adjustment to protect the public health and the environment where both Agencies agree.

It is recognized that important needs will arise during this EnPPA cycle that must be addressed. Refinements to portions of the EnPPA, such as conflict resolution, self-assessment and Joint Priority implementation, should be initiated and implemented as needed at any time. Also, amendments to grants or carrying out EnPPA implementation activities which do not require adjustments should also proceed with documentation but without a formal amendment.

An appropriate time to formally adjust this EnPPA is when the self-assessment is completed or at the mid-course evaluation phase. Any adjustments will need to be identified and agreed to by June 30 for formal incorporation into the EnPPA beginning July 1. It is recognized that EPA National Guidance is often not available by May 1 of each year; WDNR will make reasonable attempts to accommodate this whenever possible

during the second year of the EnPPA. There are two types of modification, minor and significant.

Minor modifications by Region 5 to WDNR program adjustments, only impact a single program, and both programs agree to the change. These changes can occur at any time and need to follow this process:

- Document the problem and revise the activities format or appropriate section in the EnPPA.
- Provide the revision documentation to the EnPPA Agency sponsors and team leaders.
- EnPPA team leaders will see that the change is added to the master copies of the EnPPA that are maintained by both Agencies.

Significant modifications are those modifications that impact more than one Region 5 or WDNR program and need to have the EnPPA formally modified. This formal modification process is as follows:

- Region 5 and WDNR programs develop a short discussion paper to identify the need for the modification, impacts on the programs, and present a proposed modification. The proposal will be routed to the EnPPA Agency sponsors and team leaders, along with a memo requesting the formal modification.
- At WDNR, the proposed modification will be shared with the appropriate Bureau Directors and approval requested.
- At Region 5, the proposed modification will be shared with the appropriate Division Director and approval requested.
- After the modification has been approved by the appropriate WDNR Bureau Director and Region 5 Division Director, the EnPPA co-sponsors will develop and jointly sign a letter approving the modifications.
- The formal modification approval letter will then be sent to the programs and a copy sent to the both Agency EnPPA teams. The both Agency EnPPA team leaders will add the modification to the master EnPPA that are maintained by both Agencies.

D. EnPPA Cycle

During the time covered by this EnPPA, Region 5 and WDNR will be implementing this EnPPA as well as planning for the next EnPPA. In order to accommodate these dual schedules, a 12-month cycle will be followed. This cycle parallels the WDNR's IWPS which is based on the "Plan, Do, Check, and Adapt."

APPENDIX C – WDNR / REGION 5 CONTACTS

WDNR EnPPA, Program and Quality Assurance Contacts

Agency EnPPA Sponsor (AD/5)	Allen Shea, Office of Business Sustainability. (608) 266-5896
Agency EnPPA Team Leader (MB/5)	Elizabeth Kluesner, Director of Federal and Local Relations (608) 266-1648
WDNR Divisions	
Air, Waste and Remediation & Redevelopment Division (AWaRe)	Patrick Stevens, Administrator (608) 264-9210
Enforcement and Science Services Division (E&ISS)	Vacant, Administrator (608) 264-6133
Customer & Employee Services Division (C&ES)	Kristy Rogers, Administrator (608) 266-2241
Land Division	Kurt Thiede, Administrator (608) 266-5833
Water Division	Russell Rasmussen, Administrator (608) 264-6278
Quality Management System	
<ul style="list-style-type: none"> Documentation Agency Contact Air, Waste and Remediation & Redevelopment Division Contact Water Division Contact Enforcement and Science Services Division Contact (including laboratory services) 	<ul style="list-style-type: none"> Elizabeth Kluesner (608) 266-1648 Sue Bangert, Deputy Division Administrator, Air and Waste Division (608) 266-0014 Russell Rasmussen, Division Administrator, Water Division – (608) 264-6278 Vacant, Section Chief, Environmental Science Services - (608) 266-0245
Quality Management System Bureau contacts are the Bureau Directors (unless delegated) – Technical Level QA contacts and roles are listed within Bureaus	
Air Management (AM/7) / AWaRe Division	
PPA AM contact	Sheralynn Stach, Section Chief, Monitoring (608) 266-1058
Bureau Director	Bart Sponseller, Director (608) 264-8537
Quality Management System Bureau contact and coordinates	Bob Eckdale (608) 266-0653

Administrative rules (and website) and VOCs	
Monitoring Section Responsible for ambient air quality monitoring, atmospheric deposition monitoring, and evaluation of the impacts.	Gail Good, Section Chief (608) 266-1058
Quality Assurance contact, coordinates technical assistance for: Air monitoring	Jason Treutel (608) 264-8596
Compliance & Enforcement Section This section coordinates the Air Management Program's efforts to ensure that industries and others comply with clean air laws. This includes: Working with U.S. EPA Region 5 and WDNR Air Program compliance staff to assure that rules, policies, and guidance are applied consistently statewide. Evaluating how well the program accomplishes its statewide compliance and enforcement goals; and Keeping the data in the Wisconsin Air Compliance Database (WACD) up to date.	Bill Baumann, Section Chief (608) 267-7542
Quality Assurance contact, coordinates technical assistance for: Compliance	Martha Makhholm (608) 267-4231
Permits & Stationary Source Modeling Section This section: Meets with industry representatives to discuss permitting issues and negotiate permit conditions; Does computer modeling to determine how air pollutant emissions will affect air quality; Writes construction permits and operation permits for air pollution sources.	Kristin Hart, Section Chief (608) 266-6876
Quality Assurance contact, coordinates technical assistance for: Permits	Joydeb Bhattacharyya (608) 267-7544
Quality Assurance contact, coordinates technical assistance for: Emissions inventory	Ralph Patterson (608) 267-7546
Regional Pollutant and Mobile Source Section This section is responsible for developing State Implementation Plans (SIPs) for regional air pollutants such as ground-level ozone, particle pollution, and haze. The section also develops plans and programs related to motor vehicles and motor vehicle fuels.	Vacant, Section Chief (608) 267-7543
Business Support and IT Section	Sheri Stach, Section Chief

This section prepares budgets and workplans, administers grants, and handles finance, rules oversight, data, and personnel management.	(608) 264-6292
Community Financial Assistance (CF/8) / CAES Division	
Bureau Director	Mary Rose Teves, Bureau Director (608) 267-7683
Environmental Loans Section Questions involving the Environmental Improvement Fund and loan programs.	Robin Schmitt, Section Chief (608) 266-3915
Grants Section Questions involving financial assistance for the nonpoint source program, well compensation, recycling and recycling demonstrations, dry cleaning, forestry, land, recreation, and lake grants.	Vacant
Cooperative Environmental Assistance (CO/7)	
PPA contact, Grants Coordinator and Quality Management System Bureau contact: Responsible for managing bureau budgets, measuring program success using environmental indicators, developing workplans, helping to assure efficient and consistent program implementation, and developing and implementing public outreach strategies.	Mark McDermid (608) 267-3125
Bureau Director	Mark McDermid, Director (608) 267-3125
Drinking Water/Ground Water (DG/5) / Water Division	
PPA Drinking Water and Groundwater Contact	James McLimans, Adm. Services Manager (608) 266-2726
Bureau Director	Jill Jonas, Director (608) 267-7545
Public Water Supply Section	Steve Elmore, Section Chief (608) 264-9246
<u>Public Private Water Engineering Section</u>	<u>Lee Bouson</u> Vacant, Section Chief (608)266-0857
<u>Private Water Supply Section</u>	<u>Vacant, Section Chief</u> (608)267-7649
Groundwater Management Section	Mary Ellen Vollbrecht, Section Chief (608) 266-2104
Quality Assurance contact, coordinates: Water monitoring - groundwater	Mary Ellen Vollbrecht, Section Chief(608) 266-2104

Quality Assurance contact, coordinates the following: Groundwater Data Consistency Well and Test Result Data System	James McLimans, Adm. Services Manager (608) 266-2726
Environmental Enforcement (LE/5) / E&SS Division	
Section Chief Statewide enforcement.	Steve Sisbach, Chief (608) 266-7317
Enforcement Coordinator	Marty Ringquist (608) 267-7440
Quality Assurance contact	N/A
Fisheries Management (FH/4) / Water Division	
PPA FH Contact Performance Partnership Grant Fish Contaminant Monitoring and Advisories	Candy Schrank, Fisheries Management Environmental Toxicologist (608) 267-7614
Bureau Director	Mike Staggs, Director (608) 267-0796
Water Quality (WQ) (WT) Water Division	
PPA WQ Contact WQ Quality Management System Contact	Julia Riley, Water Resources Management Specialist (608) 264-9244
Bureau Director	Susan Sylvester, Bureau Director (608) 267-7651
Monitoring Section Coordinates the following: Grants Management Activities for 104, 106, 319 and other special EPA grants. Information Technology. Work Planning and Budgeting. Performance Partnership Grant Implement Statewide Monitoring Strategy. Surface Water Quality Monitoring. Water Quality Trends and Conditions	Tim Asplund, Section Chief (608) 267-7602
Quality Assurance contact, coordinates Water monitoring - Rivers	Michael Shupryt, Water Resources Management Specialist (608) 261-6404
Quality Assurance contact, coordinates Water monitoring - water quality - Lakes	Katie Hein, Water Resources Management Specialist (608) 267-2376
Policy, Planning and Communications Water Quality Planning – 205j and 604b Water Quality Exchange Work Activity	Lisa Helmuth, Water Resources Management Specialist (608) 266-7768

Federal Water Monitoring Database Activity (STORET, WQEx) Area wide Water Quality Planning & Water Basin Plans. 305 (b) Report for Wisconsin.	
Quality Assurance contact, coordinates Water monitoring - data management.	Molli MacDonald, IT Data Services (608) 266-5242
Quality Assurance contact, coordinates Water monitoring – streams.	Mike Miller, Water Resources Management Specialist (608) 267-2753
Quality Assurance contact, coordinates Water monitoring - wetlands.	Tom Bernthal, Water Resources Management Specialist (608) 266-3033
Water Evaluation Section Coordinates the following: Surface Water Quality Standards. Surface Water Quality Classification. Total Maximum Daily Loads (TMDL). Impaired Waters List [303(d)]. Outstanding & Exceptional Resource Waters.	Brian Weigel, Section Chief (608) 267-7662
Quality Assurance contact, coordinates Water monitoring – citizen monitoring	Kris Stepenuck, Water Action Volunteer Coord., UW Liaison (608) 264-8948

Wastewater Permits and Pretreatment Section Coordinates the following: Discharge Permit Issuance for Specialized Permits including Paper Industry Permits. Permits Policy Development. Groundwater Discharge Permits. Water Permits Enforcement Activities. Pretreatment Program. CSO/SSO Policy Sewer Service Areas Approvals SRF Facility Plan and Design Reviews.	Tom Mugan, Section Chief (608) 266-7420
Permits Section Coordinates the following: Statewide Discharge Permit Activities and Policy Development. Permit Data Coordination including PCS. Biosolids Management. POTW Operation and Maintenance. Wastewater Security Issues. Water Quality Effluent Limits Biomonitoring and Whole Effluent Toxicity.	Adrian Stocks, Section Chief (608) 266-2666
Quality Assurance contact, coordinates DMR-QA	Tom Mugan, Wastewater Engineer (608) 266-7420
Lakes and Rivers Section Self-Help Citizen Lake Monitoring. Coordinate Wisconsin Lakes Partnership. Coordinate Clean Lake Planning & Implementation. Wisconsin Wetland Inventory Updates. Lake and Wetland Policy Development. Aquatic Plant Management Aquatic Invasive Species.	Carroll Schaal, Section Chief (608) 261-6423
Watershed Management (WT) Water Division	
PPA WT Contact WT Quality Management System contact	Christina Isenring,, Administrative Policy Coordinator(608) 266-5285
Bureau Director	Pam Biersach, Bureau Director (608) 261-8447
Runoff Management Section Coordinates the following: Animal Waste including AFO/CAFO. Section 319 Grants Activities. Stormwater Permits. Priority Watershed / Targeted Runoff Management Planning. Nonpoint Source Coordination Activities with	Mary Anne Lowndes, Section Chief (608) 261-6420

Wis. Dept. of Agriculture Trade and Consumer Protection and Counties.	
Waterways and Wetlands Section Issue Water Quality Certifications. Waterway and Wetland Permitting. River and Stream Planning and Protection. Shore land Protection Planning & Zoning.	Liesa Lehmann, Section Chief (608) 264-8554
Dam Safety and Floodplain Section Coordinates the following: Floodplain Engineering, Mapping and Planning. Dam Safety and Removal. Federal Emergency Management Agency	Meg Galloway, Section Chief (608) 266-7014
Office of Great Lakes (OGL) – Water Division	
This office serves as a focal point for Great Lakes issues and is the lead for interagency, interstate and international Great Lakes management initiatives. This office also manages the Great Lakes protection and restoration funds.	Steve Galarneau, Office Director (608) 266-1956
Quality Assurance contact, coordinates: QAPP Reviews for Water Projects (including Great Lakes) Pre-QAPP development consultation Liaison with Region 5 and GLNPO staff on Quality Assurance Issues Water Quality Monitoring – Great Lakes.	Donalea Dinsmore, Great Lakes Program Coordinator (608) 266-1926
Science Services (SS/WB) / E&SS Division	
Bureau Director	Jack Sullivan, Director (608) 267-9753
Quality Management System Bureau contact and coordinates Department-wide QA under NR 149 for: Lab certification program Data verification and validation Analytical methods. Data quality assessment	Vacant, Natural Resources Program Manager (608) 266-0245
Quality Assurance contact, liaison for/coordinates: State Laboratory of Hygiene Field procedures and methods Agency-wide analytical services.	Vacant, Natural Resources Program Manager (608) 266-0245
Fisheries and Aquatic Science Research	Dr. Jennifer Hauxwell Fish and Habitat Research Section Chief

	(608) 221-6373
Wildlife and Forestry Research	Dr. Karl Martin, Forestry and Wildlife Research Section Chief (608) 224-7138
Science and Information Research	Dreux Watermolen, Science Information Services Section Chief (608) 266-8931
Remediation & Redevelopment (RR/5) / AWARe Division	
PPA RR Contact	<u>Tim Panzer, Fiscal & Information Technology Section Chief</u> (608)267-2465 <u>Tim Cooke, Administrative Policy Coordinator</u> (608) 267-7554
Bureau Director	<u>Darsi Foss, Director</u> (608)267-6713 <u>Mark Giesfeldt, Director</u> (608) 267-7562
Quality Management System Bureau contact and coordinates QA technical assistance.	<u>Darsi Foss, Director</u> (608)267-6713 <u>Mark Giesfeldt, Director</u> (608)267-7562
LUST Grant Liaison for Federal LUST Program issues.	<u>Darsi Foss, Director</u> (608)267-6713 <u>Mark Giesfeldt, Director</u> (608)267-7562
RCRA Corrective Action and Closure Covers investigation and remediation of sites: 1) that are being addressed under the RCRA corrective action program, 2) where a release of hazardous waste has occurred, and 3) where management of media defined as hazardous waste is necessary. This also includes general hazardous waste administrative activities such as work planning, reporting, data management, and rule development.	<u>Darsi Foss, Director</u> (608)267-6713 <u>Mark Giesfeldt, Director</u> (608)267-7562
Superfund Remedial/Core Covers the investigation and remediation of State and RP lead Superfund sites; providing support to U.S. EPA on Federal lead sites; and general Superfund administrative activities such as: work planning, reporting, contract management, and data management. Superfund Site Assessment including traditional site assessments as well as coordination of removals.	<u>Mark Giesfeldt, Director</u> (608)267-7562 <u>Judy Fassbender, Policy and Technical Resources Chief</u> (608) 266-7278

Brownfields Includes all Brownfields related activities such as policy development, budget implementation, outreach, Brownfields Study Group, Brownfields financial assistance / expertise, Brownfields tax credit, and Brownfields pilots, Section 128A State Response Program, Brownfields revolving loan program, and Brownfields assessments.	Darsi Foss, Brownfields and Outreach Section Chief (608) 267-6713
QA assistance concerning (See SS Bureau): Lab certification program Data verification and validation Analytical methods Data quality assessment.	Vacant, Natural Resources Program Manager (608) 266-0245
Waste Management (WA/3) / AWaRe Division	
PPA WA contact	Primary Contact Pat Chabot, Hazardous Waste Program Coordinator (608) 264-6015 Secondary Contact Ed Lynch, Section Chief (608) 267-0545
Bureau Director	Ann Coakley, Director (608) 261-8449

Bureau Quality Management System contact	Ann Coakley, Director (608) 261-8449
Communication Team Responsible for evaluating and responding to customer feedback and needs, measuring program success using environmental indicators, developing workplans, helping to assure efficient and consistent program implementation, developing and implementing public outreach strategies, and ensuring incorporation of pollution prevention techniques.	Colleen Storck, Section Chief (608) 267-7515
Business Support and IT Section Responsible for support function for waste management subprogram. Functions include; records management, management of the licensing for solid and hazardous waste facilities, data management, clerical support for central office services, budget development, financial management and fiscal support, financial responsibility tracking for solid and hazardous waste facilities, hardware and software support services for central office staff, and safety and training coordination, laboratory coordination and laboratory quality assurance/quality control expertise.	Colleen Storck, Section Chief (608) 267-7515
Hazardous Waste Program Lead responsibility for overseeing the implementation of Wisconsin's hazardous waste program. Functions include: serve as a group that develops hazardous waste policies, administrative rules and guidance with state-wide applicability, communicate issues with staff and managers with hazardous waste responsibilities, and seek to achieve consistency in the state-wide application of the hazardous waste regulatory program.	Patricia Chabot, Hazardous Waste Program Coordinator (608) 264-6015
Special Waste Program Coordinates regulatory and outreach efforts for solid wastes which may be hazardous, but because of factors such as special characteristics or overlapping waste requirements, require special consideration to encourage better management.	Ed Lynch, Section Chief (608) 267-0545

Hazardous Waste Prevention and Management Section Responsible for hazardous waste policy development. Functions include: legislative coordination, administrative rules and guidance development, hazardous waste plan review, guidance development, federal authorization maintenance, priority assessments, and federal grants development.	Ed Lynch, Section Chief (608) 267-0545
Solid Waste and Recycling Section Responsible for providing a core of technical experts to support and supplement solid waste program responsibilities in the regions. Functions include: expertise in innovative waste management technologies, solid waste facility construction and performance expertise, recycling expertise, and specialized expertise for solid waste plan review.	Brad Wolbert, Section Chief (608) 267-3133
Quality Assurance contact, coordinates the following: Chemistry data Laboratory analyses.	(608) 266-0272

EPA – REGION 5 PPA, PROGRAM and QA CONTACTS

Agency WI EnPPA Sponsor (W-15J)	Tinka Hyde, Director / Water Division (312) 353- 2147
Agency WI EnPPA Team Leader (WS-15J)	Dennis Wychocki, Water Division (312) 886- 0228
Region 5 Regional QA Manager	Kevin Bolger R-19J (312) 886-6762
ARD Division QA Manager	Loretta Lehrman (312) 886-5482
SFD Division QA Manager	Timothy Prendiville (312) 886-5122
LCD Division QA Manager	Thomas Crosetto (312) 886-6294
WD Division QA Manager	Andrew Tschampa (312) 886-6136
Air and Radiation Division (AR-18J)	
EnPPA ARD contact / Division Lead	Diane Nelson (312) 886-2929 Lisa Holscher (312) 886- 6818
Air Program Branch	John Mooney, Branch Chief (312) 886-6043
Air Toxics and Assessment Branch	Mary Pat Tyson, Branch Chief (312) 886-3006
Air Enforcement and Compliance Assurance Branch (AE-17J) Wisconsin Coordinator	Vacant, Branch Chief Rochelle Marceillars (312) 353-4370

Grants (MCG-10J)	
EnPPA Program Contact	Karen Sykes, Team Leader (321) 886-7571 Marco Santos, Grants Specialist (312) 353-3490
Great Lakes National Program Office (G-17J)	
GLNPO Quality Manager	Louis Blume (312) 353-2317
Technical Assistance and Analysis Branch	David Cowgill, Branch Chief (312) 353-3576
Monitoring Indicators and Reporting Branch	Paul Horvatin, Branch Chief (312) 353-3612
Policy Coordination and Communication Branch	Patricia Thompson, Branch Chief (312) 886- 6015
Superfund Division	
EnPPA Program Contact / Division Lead (SA-7J) Community Involvement Program Contact	Frances Dean (312) 886-5046 Susan Pastor (312) 353-1325
Remediation Response / Construction Completion Branch (SR-6J)	Tom Short, Branch Chief (312) 353-8826
Remediation Response / ROD Process Branch (SR-6J)	Joan Tanake, Branch Chief (312) 353- 5425
Removal Branch (SE-4J)	Charles Gebien, Branch Chief (312) 353-7645
Brownfields and Early Action (SE-5J)	Joe Dufficy (312) 886-1960
Office of Chemical Emergency Preparedness (SC-6J)	Mark Horwitz (312) 353-9045
Land and Chemicals Division	
EnPPA Program Contact / Division Lead (LP-9J)	Kimberly O'Lone (312) 886-4299 Sharon Lowery-Martin (312) 886-4583
RCRA BRANCH	Gary Victorine, Branch Chief (312) 886-1479
RCRA Compliance Section	Julie Morris Section Chief (312) 886-0863
RCRA Authorization and Permitting (LR-8J)	Jean Gromnicki (312) 886-6162
RCRA Programs Section (LR-8J)	Mary Setnicar, Chief ((312) 886- 0976
UST/LUST Program	Sherry Kamke, Chief (312) 353-5794
Materials Management Branch	Jerri-Anne Garl Branch Chief (312)353-1441
Municipal and Industrial Materials Section	Susan Mooney, Section Chief (312) 886-

Source Reduction Section	3585 Julie Magee Chief (312) 886-6063
Chemicals Management Branch	Mardi Klevs, Branch Chief (312) 353-5490
Toxics Section (LC-8J)	Anton Martig, Section Chief (312) 353-2291
Pesticides Section (LC-8J)	Dan Hopkins, Section Chief (312) 886-5994
Toxics/Pesticides Compliance Sec. (LC-8J)	David Star, Section Chief (312) 886- 6009
Program Services Branch (LP-9J)	Allen Melcer, Branch Chief (312) 886-1498
State And Tribal Services Section RCRA grants program	Kimberly O'Lone , Chief (312) 886-4299
Internal Services Section RCRA data systems.	Tom Crosetto, Section Chief (312) 886- 6294
Remediation and Reuse Branch RCRA Corrective Action	Jose Cisneros, Branch Chief (312) 886-6945
Corrective Action Section 1	Vacant (See Jose Cisneros above
Water Division	
EnPPA Program Contact / Division Lead (WS-15J)	Dennis Wychocki (312) 886-0228
Water Quality Branch (WQ-16J) Biocriteria	Linda Holst, Branch Chief (312) 886-6758 Ed Hammer (312) 886-3019
Fish Tissue/Fish Advisories and Program EnPPA Contact Great Lakes Initiative	Peggy Donnelly(312) 886-6109 David Pfeifer, Section Chief (312) 353-9024 Ed Hammer (312) 886-3019
Monitoring	Mari Nord (312) 886-3017
Monitoring Initiative Grants/National Probability Surveys	Brian Thompson (312) 353-6066
Nutrients	Andrew Tschampa, Section Chief (312) 886-6136
QMP/QAPPs	Ed Hammer (312) 886-3019
Water Quality Assessments - 305(b)	Dave Pfeifer, Section Chief (312) 353-9024
Water Quality Standards	

GROUND WATER & DRINKING WATER (WG-15J) PWSS and Program EnPPA Contact (located in Madison, WI)	Tom Poy, Branch Chief (312) 886-5991 Joe Janczy (608) 267-2763
Enforcement and Compliance Branch (WC-15J) IL/IN/WI Section Program EnPPA Contact	Dean Maraldo, Branch Chief (312) 353- 2098 Ryan Bahr , Section Chief (312) 353- 4366 James Coleman (312) 886- 0148
NPDES (WN-16J) Program EnPPA Contacts Biosolids/Sludge CSOs O & M at POTWs NPDES Storm Water CAFOs	Kevin Pierard, Branch Chief (312) 886-4448 Quintin White (312) 886-0135 John Coletti (312) 886-6106 John Wiemhoff (312) 353-8546 John Wiemhoff(312) 353-8546 Patrick Kuefler (312) 353- 6268 Brian Bell (312) 886-0981 Julianne Socha (312) 886- 4436
State and Tribal Programs Branch (WS-15J) State Revolving Fund <u>State and Tribal Grants</u>	Deborah Baltazar, Branch Chief (312) 886- 3205 Steve Marquardt, Section Chief (312) - 353-3214 <u>Dan Cozza, Section Chief</u> <u>(312) -- 886-7252</u>
Watershed and Wetlands Branch (WW-16J) Nonpoint Source Pollution Control TMDLs Wetlands Programs and Grants Wetlands Enforcement	Peter Swenson, Branch Chief (312) 886-0236 Cynthia Curtis (312) 353-6959 Dave Werbach (312) 886-4242 Sue Elston (312) 886-6115 Greg Carlson(312) 886- 0124
Underground Injection Control Branch (WU-16J) Direct Implementation Section UIC and Program EnPPA Contact	Rebecca Harvey Steve Jann, Branch Chief (312) 886-6594 2446 Lisa Perenchio, Section Chief (312) 886-6593

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	Ross Micham (312) 886- 4237
Office of Enforcement and Compliance Assurance	
EnPPA Program Contact for State Review	Stephanie Cheaney(312) 353-9681
EnPPA Program Contact for Green Tier and Milwaukee EJ Showcase Community	Marilou Martin (312) 353-9660
NEPA Program Contact	Ken Westlake (312) 353-3575

[PAGE]

APPENDIX D – WI/ REGION 5 ENFORCEMENT ACTION COMMUNICATIONS PLAN

Background: Region 5 and WDNR have authority to enforce environmental laws. As a result, federally initiated enforcement actions can and do occur in the State of Wisconsin for both delegated and non-delegated programs. Region 5 and WDNR have identified a concern that advance notification of Federal enforcement actions has not always occurred consistently and, as a result, WDNR is at times caught unaware when the public or news media contact them regarding a Region 5 enforcement action. WDNR and Region 5 agree to improve communications regarding enforcement actions by developing this plan.

Purpose: Communication on enforcement program activities generally occurs at a couple of stages:

1) prior to an EPA decision on planned enforcement actions and 2) after a decision has been made to initiate enforcement. There is still some concern that the pre-decision communications are not always occurring satisfactorily, for the purposes of this plan, there was a decision to focus on the second communications need as it deals more directly with the issue raised by the State Director.

Communications Plan: Region 5 will notify the designated WDNR enforcement contacts in a timely manner on agreed upon types of enforcement cases in the State whether delegated or not. Types of enforcement actions covered by this communications plan include:

- Administrative Actions: Finding of Violations & Notice of Violation
- Administrative Compliance Orders (on consent or unilateral)
- Administrative Penalty Order Complaints
- Consent Agreement and Final Order (CAFO)
- Civil Judicial Actions: Judicial Complaints
- Judicial Consent Decrees (CD)
- Emergency Removal Actions

Each Region 5 Program Office Branch or Section Chief shall make a phone call no later than two days in advance of the action to the identified State contacts. If WDNR contacts are not available, a voice mail message will be left. See the Designated State Contacts Table below for information regarding WDNR contacts. This notification shall include the following information:

- Facility name and location;
- Date action is to take place;
- Type of action being taken (e.g., administrative, judicial,...);
- Value of the action (e.g., penalty amount, whether there is injunctive relief or a SEP);
- EPA contact; and
- Whether there will be a press release and the timing of any planned press releases. (Note: Where appropriate, EPA should work with the State to include language in the press release regarding state coordination/participation.)

Confidentiality: Region 5 and WDNR agree that communication on enforcement

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matters in advance of filing or settlement are enforcement confidential and as such, they are not to be shared with respondents/defendants or the public, until Region 5 takes its final action.

Designated State Contact		
Notification Provided to	Notification Provided by	Preferred Communication
Steve Sisbach (WDNR) Dir. of Environmental Enforcement (LE-5) Phone: 608/266-7317 Fax: 608/266-3696 Email: sisbas@dnr.state.wi.us Matt Moroney (WDNR) Deputy Secretary (AD-5) Phone: 608/264-6266 Fax: 608/266-6983 Email: Matt.Moroney@Wisconsin.gov	Program Branch/Section Chief	Telephone Telephone

Section 611.130 Special Requirements for Certain Variances and Adjusted Standards

- a) Relief from the fluoride MCL.
 - 1) In granting any variance or adjusted standard to a supplier that is a CWS from the maximum contaminant level for fluoride listed in Section 611.301(b), the Board will require application of the best available technology (BAT) identified at subsection (a)(4) of this Section for that constituent as a condition to the relief, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that supplier.
 - 2) The Board will require the following as a condition for relief from the fluoride MCL where it does not require the application of BAT:
 - A) That the supplier continue to investigate the following methods as an alternative means of significantly reducing the level of fluoride, according to a definite schedule:
 - i) A modification of lime softening;
 - ii) Alum coagulation;
 - iii) Electrodialysis;
 - iv) Anion exchange resins;
 - v) Well field management;
 - vi) The use of alternative sources of raw water; and
 - vii) Regionalization; and
 - B) That the supplier report results of that investigation to the Agency.
 - 3) The Agency must petition the Board to reconsider or modify a variance or adjusted standard, pursuant to Subpart I of 35 Ill. Adm. Code 101, if it determines that an alternative method identified by the supplier pursuant to subsection (a)(2) of this Section is technically feasible and would result in a significant reduction in fluoride.
 - 4) Best available technology for fluoride reduction is as follows:
 - A) Activated alumina absorption centrally applied; and

- B) Reverse osmosis centrally applied.

BOARD NOTE: Subsection (a) derived from 40 CFR 142.61 (2011).

- b) Relief from an IOC, VOC, or SOC MCL.
 - 1) In granting to a supplier that is a CWS or NTNCWS any variance or adjusted standard from the maximum contaminant levels for any VOC or SOC, listed in Section 611.311(a) or (c), or for any IOC, listed in Section 611.301, the supplier must have first applied the best available technology (BAT) identified at Section 611.311(b) (VOCs and SOCs) or Section 611.301(c) (IOCs) for that constituent, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT would achieve only a minimal and insignificant reduction in the level of contaminant.

BOARD NOTE: USEPA lists BAT for each SOC and VOC at 40 CFR 142.62(a), for the purposes of variances and exemptions (adjusted standards). That list is identical to the list at 40 CFR 141.61(b).

- 2) The Board may require any of the following as a condition for relief from an MCL listed in Section 611.301 or 611.311:
 - A) That the supplier continue to investigate alternative means of compliance according to a definite schedule; and
 - B) That the supplier report results of that investigation to the Agency.
- 3) The Agency must petition the Board to reconsider or modify a variance or adjusted standard, pursuant to Subpart I of 35 Ill. Adm. Code 101, if it determines that an alternative method identified by the supplier pursuant to subsection (b)(2) of this Section is technically feasible.

BOARD NOTE: Subsection (b) derived from 40 CFR 142.62(a) through (e) (2011).

- c) Conditions requiring use of bottled water, a point-of-use treatment device, or a point-of-entry treatment device. In granting any variance or adjusted standard from the maximum contaminant levels for organic and inorganic chemicals or an adjusted standard from the treatment technique for lead and copper, the Board may impose certain conditions requiring the use of bottled water, a point-of-entry treatment device, or a point-of-use treatment device to avoid an unreasonable risk to health, limited as provided in subsections (d) and (e) of this Section.
 - 1) Relief from an MCL. The Board may, when granting any variance or adjusted standard from the MCL requirements of Sections 611.301 and

611.311, impose a condition that requires a supplier to use bottled water, a point-of-entry treatment device, a point-of-use treatment device, or other means to avoid an unreasonable risk to health.

- 2) Relief from corrosion control treatment. The Board may, when granting an adjusted standard from the corrosion control treatment requirements for lead and copper of Sections 611.351 and 611.352, impose a condition that requires a supplier to use bottled water, a point-of-use treatment device, or other means, but not a point-of-entry treatment device, to avoid an unreasonable risk to health.
- 3) Relief from source water treatment or service line replacement. The Board may, when granting an exemption from the source water treatment and lead service line replacement requirements for lead and copper under Sections 611.353 or 611.354, impose a condition that requires a supplier to use a point-of-entry treatment device to avoid an unreasonable risk to health.

BOARD NOTE: Subsection (c) derived from 40 CFR 142.62(f) (2011).

- d) Use of bottled water. Suppliers that propose to use or use bottled water as a condition for receiving a variance or an adjusted standard from the requirements of Section 611.301 or Section 611.311 or an adjusted standard from the requirements of Sections 611.351 through 611.354 must meet the requirements of either subsections (d)(1), (d)(2), (d)(3), and (d)(6) or (d)(4), (d)(5), and (d)(6) of this Section.
 - 1) The supplier must develop a monitoring program for Board approval that provides reasonable assurances that the bottled water meets all MCLs of Sections 611.301 and 611.311 and submit a description of this program as part of its petition. The proposed program must describe how the supplier will comply with each requirement of this subsection (d).
 - 2) The supplier must monitor representative samples of the bottled water for all contaminants regulated under Sections 611.301 and 611.311 during the first three-month period that it supplies the bottled water to the public, and annually thereafter.
 - 3) The supplier must annually provide the results of the monitoring program to the Agency.
 - 4) The supplier must receive a certification from the bottled water company as to each of the following:
 - A) that the bottled water supplied has been taken from an approved source of bottled water, as such is defined in Section 611.101;

B) that the approved source of bottled water has conducted monitoring in accordance with 21 CFR 129.80(g)(1) through (g)(3).

C) and that the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 165.110, 110, and 129.

5) The supplier must provide the certification required by subsection (d)(4) of this Section to the Agency during the first quarter after it begins supplying bottled water and annually thereafter.

6) The supplier must assure the provision of sufficient quantities of bottled water to every affected person supplied by the supplier via door-to-door bottled water delivery.

BOARD NOTE: Subsection (d) derived from 40 CFR 142.62(g) (2011).

- e) Use of a point-of-entry treatment device. Before the Board grants any PWS a variance or adjusted standard from any NPDWR that includes a condition requiring the use of a point-of-entry treatment device, the supplier must demonstrate to the Board each of the following:
- 1) That the supplier will operate and maintain the device;
 - 2) That the device provides health protection equivalent to that provided by central treatment;
 - 3) That the supplier will maintain the microbiological safety of the water at all times;
 - 4) That the supplier has established standards for performance, conducted a rigorous engineering design review, and field tested the device;
 - 5) That the operation and maintenance of the device will account for any potential for increased concentrations of heterotrophic bacteria resulting through the use of activated carbon, by backwashing, post-contactor disinfection, and heterotrophic plate count monitoring;
 - 6) That buildings connected to the supplier's distribution system have sufficient devices properly installed, maintained, and monitored to assure that all consumers are protected; and
 - 7) That the use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

BOARD NOTE: Subsection (e) derived from 40 CFR 142.62(h) (2011).

- f) Relief from the maximum contaminant levels for radionuclides.
 - 1) Relief from the maximum contaminant levels for combined radium-226 and radium-228, uranium, gross alpha particle activity (excluding radon and uranium), and beta particle and photon radioactivity.
 - A) Section 611.330(g) sets forth what USEPA has identified as the best available technology (BAT), treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in Section 611.330(b), (c), (d), and (e), for the purposes of issuing relief equivalent to a federal section 1415 variance or a section 1416 exemption.
 - B) In addition to the technologies listed in Section 611.330(g), Section 611.330(h) sets forth what USEPA has identified as the BAT, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in Section 611.330(b), (c), (d), and (e), for the purposes of issuing relief equivalent to a federal section 1415 variance or a section 1416 exemption to small drinking water systems, defined here as those serving 10,000 persons or fewer, as shown in the second table set forth at Section 611.330(h).
 - 2) The Board will require a CWS supplier to install and use any treatment technology identified in Section 611.330(g), or in the case of small water systems (those serving 10,000 persons or fewer), listed in Section 611.330(h), as a condition for granting relief equivalent to a federal section 1415 variance or a section 1416 exemption, except as provided in subsection (f)(3) of this Section. If, after the system's installation of the treatment technology, the system cannot meet the MCL, that system will be eligible for relief.
 - 3) If a CWS supplier can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment technologies identified in this Section would only achieve a de minimus reduction in the contaminant level, the Board may issue a schedule of compliance that requires the system being granted relief equivalent to a federal section 1415 variance or a section 1416 exemption to examine other treatment technologies as a condition of obtaining the relief.
 - 4) If the Agency determines that a treatment technology identified under subsection (f)(3) of this Section is technically feasible, it may request that

the Board require the supplier to install and use that treatment technology in connection with a compliance schedule issued pursuant to Section 36 of the Act [415 ILCS 5/36]. The Agency's determination must be based upon studies by the system and other relevant information.

- 5) The Board may require a CWS to use bottled water, point-of-use devices, point-of-entry devices, or other means as a condition of granting relief equivalent to a federal section 1415 variance or a section 1416 exemption from the requirements of Section 611.330, to avoid an unreasonable risk to health.
- 6) A CWS supplier that uses bottled water as a condition for receiving relief equivalent to a federal section 1415 variance or a section 1416 exemption from the requirements of Section 611.330 must meet the requirements specified in either subsections (d)(1) through (d)(3) or (d)(4) through (d)(6) of this Section.
- 7) A CWS supplier that uses point-of-use or point-of-entry devices as a condition for obtaining relief equivalent to a federal section 1415 variance or a section 1416 exemption from the radionuclides NPDWRs must meet the conditions in subsections (e)(1) through (e)(6) of this Section.

BOARD NOTE: Subsection (f) derived from 40 CFR 142.65 (2011).

(Source: Amended at 36 Ill. Reg. 36 Ill. Reg. 7110, effective April 25, 2012)

§142.62 Variances and exemptions from the maximum contaminant levels for organic and inorganic chemicals.

(a) The Administrator, pursuant to section 1415(a)(1)(A) of the Act hereby identifies the technologies listed in paragraphs (a)(1) through (a)(54) of this section as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for organic chemicals listed in §141.61 (a) and (c):

Contaminant	Best available technologies		
	PTA ¹	GAC ²	OX ³
(1) Benzene	X	X	
(2) Carbon tetrachloride	X	X	
(3) 1,2-Dichloroethane	X	X	
(4) Trichloroethylene	X	X	
(5) para-Dichlorobenzene	X	X	
(6) 1,1-Dichloroethylene	X	X	
(7) 1,1,1-Trichloroethane	X	X	
(8) Vinyl chloride	X		
(9) cis-1,2-Dichloroethylene	X	X	
(10) 1,2-Dichloropropane	X	X	
(11) Ethylbenzene	X	X	
(12) Monochlorobenzene	X	X	
(13) o-Dichlorobenzene	X	X	
(14) Styrene	X	X	
(15) Tetrachloroethylene	X	X	
(16) Toluene	X	X	
(17) trans-1,2-Dichloroethylene	X	X	
(18) Xylense (total)	X	X	
(19) Alachlor		X	
(20) Aldicarb		X	
(21) Aldicarb sulfoxide		X	
(22) Aldicarb sulfone		X	
(23) Atrazine		X	
(24) Carbofuran		X	
(25) Chlordane		X	
(26) Dibromochloropropane	X	X	

(27) 2,4-D		X	
(28) Ethylene dibromide	X	X	
(29) Heptachlor		X	
(30) Heptachlor epoxide		X	
(31) Lindane		X	
(32) Methoxychlor		X	
(33) PCBs		X	
(34) Pentachlorophenol		X	
(35) Toxaphene		X	
(36) 2,4,5-TP		X	
(37) Benzo[a]pyrene		X	
(38) Dalapon		X	
(39) Dichloromethane	X		
(40) Di(2-ethylhexyl)adipate	X	X	
(41) Di(2-ethylhexyl)phthalate		X	
(42) Dinoseb		X	
(43) Diquat		X	
(44) Endothall		X	
(45) Endrin		X	
(46) Glyphosate			X
(47) Hexachlorobenzene		X	
(48) Hexachlorocyclopentadiene	X	X	
(49) Oxamyl (Vydate)		X	
(50) Picloram		X	
(51) Simazine		X	
(52) 1,2,4-Trichlorobenzene	X	X	
(53) 1,1,2-Trichloroethane	X	X	
(54) 2,3,7,8-TCDD (Dioxin)		X	

¹Packed Tower Aeration

²Granular Activated Carbon

³Oxidation (Chlorination or Ozonation)

(b) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the inorganic chemicals listed in §141.62:

BAT FOR INORGANIC COMPOUNDS LISTED IN §141.62(B)

Chemical name	BAT(s)
Antimony	2,7
Arsenic ⁴	⁵ 1, 2, 5, 6, 7, 9, 12
Asbestos	2,3,8
Barium	5,6,7,9
Beryllium	1,2,5,6,7
Cadmium	2,5,6,7
Chromium	2,5,6 ² ,7
Cyanide	5,7,10
Mercury	2 ¹ ,4,6 ¹ ,7 ¹
Nickel	5,6,7
Nitrite	5,7,9
Nitrate	5,7
Selenium	1,2 ³ ,6,7,9
Thallium	1,5

¹BAT only if influent Hg concentrations ≤10µg/l.

²BAT for Chromium III only.

³BAT for Selenium IV only.

⁴BATs for Arsenic V. Pre-oxidation may be required to convert Arsenic III to Arsenic V.

⁵To obtain high removals, iron to arsenic ratio must be at least 20:1.

Key to BATS in Table

1 = Activated Alumina

2 = Coagulation/Filtration (not BAT for systems <500 service connections)

3 = Direct and Diatomite Filtration

4 = Granular Activated Carbon

5 = Ion Exchange

6 = Lime Softening (not BAT for systems <500 service connections)

7 = Reverse Osmosis

8 = Corrosion Control

9 = Electrodialysis

10 = Chlorine

11 = Ultraviolet

12 = Oxidation/Filtration

(c) A State shall require community water systems and non-transient, non-community water systems to install and/or use any treatment method identified in §142.62 (a) and (b) as a condition for granting a variance except as provided in paragraph (d) of this section. If, after the system's installation of the treatment method, the system cannot meet the MCL, that system shall be eligible for a variance under the provisions of section 1415(a)(1)(A) of the Act.

(d) If a system can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment methods identified in §142.62 (a) and (b) would only achieve a *de minimis* reduction in contaminants, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment methods as a condition of obtaining the variance.

(e) If the State determines that a treatment method identified in paragraph (d) of this section is technically feasible, the Administrator or primacy State may require the system to install and/or use that treatment method in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The State's determination shall be based upon studies by the system and other relevant information.

(f) The State may require a public water system to use bottled water, point-of-use devices, point-of-entry devices or other means as a condition of granting a variance or an exemption from the requirements of §§141.61 (a) and (c) and 141.62, to avoid an unreasonable risk to health. The State may require a public water system to use bottled water and point-of-use devices or other means, *but not point-of-entry devices*, as a condition for granting an exemption from corrosion control treatment requirements for lead and copper in §§141.81 and 141.82 to avoid an unreasonable risk to health. The State may require a public water system to use point-of-entry devices as a condition for granting an exemption from the source water and lead service line replacement requirements for lead and copper under §§141.83 or 141.84 to avoid an unreasonable risk to health.

(g) Public water systems that use bottled water as a condition for receiving a variance or an exemption from the requirements of §§141.61 (a) and (c) and 141.62, or an exemption from the requirements of §§141.81-141.84 must meet the requirements specified in either paragraph (g)(1) or (g)(2) and paragraph (g)(3) of this section:

(1) The Administrator or primacy State must require and approve a monitoring program for bottled water. The public water system must develop and put in place a monitoring program that provides reasonable assurances that the bottled water meets all MCLs. The public water system must monitor a representative sample of the bottled water for all contaminants regulated under §§141.61 (a) and (c) and 141.62 during the first three-month period that it supplies the bottled water to the public, and annually thereafter. Results of the monitoring program shall be provided to the State annually.

(2) The public water system must receive a certification from the bottled water company that the bottled water supplied has been taken from an "approved source" as defined in 21 CFR 129.3(a); the bottled water company has conducted monitoring in accordance with 21 CFR 129.80(g) (1) through (3); and the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 165.110, part 110,

and part 129. The public water system shall provide the certification to the State the first quarter after it supplies bottled water and annually thereafter. At the State's option a public water system may satisfy the requirements of this subsection if an approved monitoring program is already in place in another State.

(3) The public water system is fully responsible for the provision of sufficient quantities of bottled water to every person supplied by the public water system via door-to-door bottled water delivery.

(h) Public water systems that use point-of-use or point-of-entry devices as a condition for obtaining a variance or an exemption from NPDWRs must meet the following requirements:

(1) It is the responsibility of the public water system to operate and maintain the point-of-use and/or point-of-entry treatment system.

(2) Before point-of-use or point-of-entry devices are installed, the public water system must obtain the approval of a monitoring plan which ensures that the devices provide health protection equivalent to that provided by central water treatment.

(3) The public water system must apply effective technology under a State-approved plan. The microbiological safety of the water must be maintained at all times.

(4) The State must require adequate certification of performance, field testing, and, if not included in the certification process, a rigorous engineering design review of the point-of-use and/or point-of-entry devices.

(5) The design and application of the point-of-use and/or point-of-entry devices must consider the potential for increasing concentrations of heterotrophic bacteria in water treated with activated carbon. It may be necessary to use frequent backwashing, post-contactors disinfection, and Heterotrophic Plate Count monitoring to ensure that the microbiological safety of the water is not compromised.

(6) The State must be assured that buildings connected to the system have sufficient point-of-use or point-of-entry devices that are properly installed, maintained, and monitored such that all consumers will be protected.

(7) In requiring the use of a point-of-entry device as a condition for granting an exemption from the treatment requirements for lead and copper under §§141.83 or 141.84, the State must be assured that use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

[56 FR 3596, Jan. 30, 1991, as amended at 56 FR 26563, June 7, 1991; 57 FR 31848, July 17, 1992; 59 FR 33864, June 30, 1994; 59 FR 34325, July 1, 1994; 66FR 7066, Jan. 22, 2001; 69 FR 38857, June 29, 2004]

142.65 Variances and exemptions from the maximum contaminant levels for radionuclides.

(a)(1) Variances and exemptions from the maximum contaminant levels for combined radium-226 and radium-228, uranium, gross alpha particle activity (excluding Radon and Uranium), and beta particle and photon radioactivity.

(i) The Administrator, pursuant to section 1415(a)(1)(A) of the Act, hereby identifies the following as the best available technology, treatment techniques, or other means available for achieving compliance

with the maximum contaminant levels for the radionuclides listed in §141.66(b), (c), (d), and (e) of this chapter, for the purposes of issuing variances and exemptions, as shown in Table A to this paragraph.

TABLE A—BAT FOR RADIONUCLIDES LISTED IN §141.66

Contaminant	BAT
Combined radium-226 and radium-228	Ion exchange, reverse osmosis, lime softening.
Uranium	Ion exchange, reverse osmosis, lime softening, coagulation/filtration.
Gross alpha particle activity (excluding radon and uranium)	Reverse osmosis.
Beta particle and photon radioactivity	Ion exchange, reverse osmosis.

(ii) In addition, the Administrator hereby identifies the following as the best available technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in §141.66(b), (c), (d), and (e) of this chapter, for the purposes of issuing variances and exemptions to small drinking water systems, defined here as those serving 10,000 persons or fewer, as shown in Table C to this paragraph.

TABLE B—LIST OF SMALL SYSTEMS COMPLIANCE TECHNOLOGIES FOR RADIONUCLIDES AND LIMITATIONS TO USE

Unit technologies	Limitations (see footnotes)	Operator skill level required¹	Raw water quality range & considerations¹
1. Ion exchange (IE)	(a)	Intermediate	All ground waters.
2. Point of use (POU ²) IE	(b)	Basic	All ground waters.
3. Reverse osmosis (RO)	(c)	Advanced	Surface waters usually require pre-filtration.
4. POU ² RO	(b)	Basic	Surface waters usually require pre-filtration.
5. Lime softening	(d)	Advanced	All waters.
6. Green sand filtration	(e)	Basic.	
7. Co-precipitation with barium sulfate	(f)	Intermediate to Advanced	Ground waters with suitable water quality.
8. Electrodialysis/electrodialysis reversal		Basic to Intermediate	All ground waters.
9. Pre-formed hydrous manganese oxide filtration	(g)	Intermediate	All ground waters.
10. Activated alumina	(a), (h)	Advanced	All ground waters; competing anion concentrations may affect regeneration frequency.
11. Enhanced coagulation/filtration	(i)	Advanced	Can treat a wide range of water qualities.

¹National Research Council (NRC). Safe Water from Every Tap: Improving Water Service to Small Communities. National Academy Press. Washington, D.C. 1997.

²A POU, or “point-of-use” technology is a treatment device installed at a single tap used for the purpose of reducing contaminants in drinking water at that one tap. POU devices are typically installed at the kitchen tap. See the April 21, 2000 NODA for more details.

Limitations Footnotes: Technologies for Radionuclides:

^aThe regeneration solution contains high concentrations of the contaminant ions. Disposal options should be carefully considered before choosing this technology.

^bWhen POU devices are used for compliance, programs for long-term operation, maintenance, and monitoring must be provided by water utility to ensure proper performance.

^cReject water disposal options should be carefully considered before choosing this technology. See other RO limitations described in the SWTR compliance technologies table.

^dThe combination of variable source water quality and the complexity of the water chemistry involved may make this technology too complex for small surface water systems.

^eRemoval efficiencies can vary depending on water quality.

^fThis technology may be very limited in application to small systems. Since the process requires static mixing, detention basins, and filtration, it is most applicable to systems with sufficiently high sulfate levels that already have a suitable filtration treatment train in place.

^gThis technology is most applicable to small systems that already have filtration in place.

^hHandling of chemicals required during regeneration and pH adjustment may be too difficult for small systems without an adequately trained operator.

ⁱAssumes modification to a coagulation/filtration process already in place.

TABLE C—BAT FOR SMALL COMMUNITY WATER SYSTEMS FOR THE RADIONUCLIDES LISTED IN §141.66

Contaminant	Compliance technologies ¹ for system size categories (population served)		
	25-500	501-3,300	3,300-10,000
Combined radium-226 and radium-228	1, 2, 3, 4, 5, 6, 7, 8, 9	1, 2, 3, 4, 5, 6, 7, 8, 9	1, 2, 3, 4, 5, 6, 7, 8, 9.
Gross alpha particle activity	3, 4	3, 4	3, 4.
Beta particle activity and photon activity	1, 2, 3, 4	1, 2, 3, 4	1, 2, 3, 4.
Uranium	1, 2, 4, 10, 11	1, 2, 3, 4, 5, 10, 11	1, 2, 3, 4, 5, 10, 11.

¹Note: Numbers correspond to those technologies found listed in the table B to this paragraph.

(2) A State shall require community water systems to install and/or use any treatment technology identified in Table A to this section, or in the case of small water systems (those serving 10,000 persons or fewer), Table B and Table C of this section, as a condition for granting a variance except as provided in paragraph (a)(3) of this section. If, after the system's installation of the treatment technology, the system cannot meet the MCL, that system shall be eligible for a variance under the provisions of section 1415(a)(1)(A) of the Act.

(3) If a community water system can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment technologies identified in this section would only achieve a *de minimus* reduction in the contaminant level, the State may issue a schedule of compliance that requires the system being granted the variance to examine other treatment technologies as a condition of obtaining the variance.

(4) If the State determines that a treatment technology identified under paragraph (a)(3) of this section is technically feasible, the Administrator or primacy State may require the system to install and/or use that treatment technology in connection with a compliance schedule issued under the provisions of section 1415(a)(1)(A) of the Act. The State's determination shall be based upon studies by the system and other relevant information.

(5) The State may require a community water system to use bottled water, point-of-use devices, point-of-entry devices or other means as a condition of granting a variance or an exemption from the requirements of §141.66 of this chapter, to avoid an unreasonable risk to health.

(6) Community water systems that use bottled water as a condition for receiving a variance or an exemption from the requirements of §141.66 of this chapter must meet the requirements specified in either §142.62(g)(1) or §142.62(g)(2) and (g)(3).

(7) Community water systems that use point-of-use or point-of-entry devices as a condition for obtaining a variance or an exemption from the radionuclides NPDWRs must meet the conditions in §142.62(h)(1) through (h)(6).

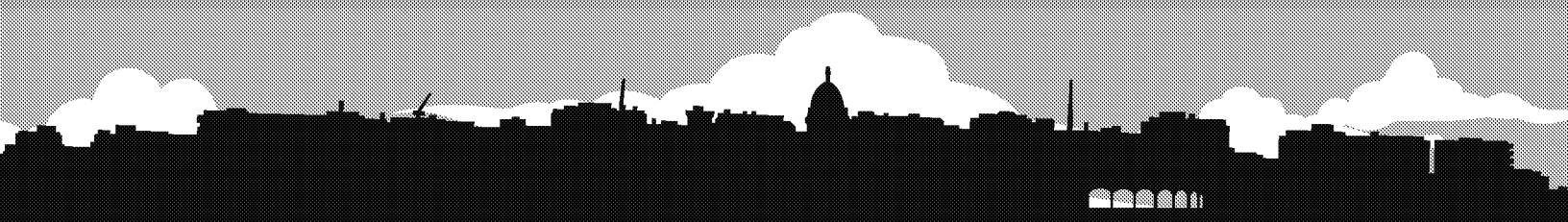
(b) [Reserved]

[65 FR 76751, Dec. 7, 2000]



National Training Conference

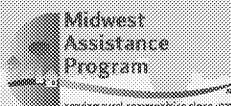
Madison, Wisconsin
October 6th-9th, 2014



RCAC
www.rcac.org

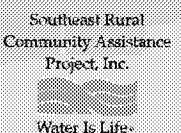
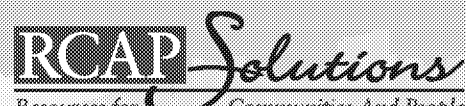


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Water Is Life.

Conference Agenda at a Glance

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Welcome to Madison!

I want to welcome each of you to the Rural Community Assistance Partnership's 2014 National Training Conference.

It has been almost four years since we've had a RCAP National Conference and, needless to say, a lot happened during that period. We added new programs from EPA and Rural Development that include an added emphasis on compliance issues, tribal systems, private water wells, the colonias, and solid waste. In every case you accepted these new directions and challenges and moved forward to assist small communities and their residents address critical health and environmental issues. While many experienced staff departed, they have been replaced by those no less talented and dedicated to our mission. I am constantly amazed at the breadth of talent, motivation, and resourcefulness of each of you!

By developing new training materials, informational resources, and outreach capabilities, RCAP now provides an even greater level of assistance to communities in need. Our reputation within the water community and among funders and regulators has grown steadily to a point where we are an acknowledged leader in the field whose opinions, expertise, and resources are highly sought after. How do we continue to make progress to meet our diverse yet complimentary objectives?

One important means is to deepen our expertise, learn new skills, explore emerging opportunities, and share our experiences among one another. I hope that this conference will afford each of you many opportunities in these areas. The RCAP Training Work Group, chaired by Joy Barrett and with members from all regions, developed a dynamic lineup of training sessions. Within this program you will find presentations by not only the best trainers within RCAP, but also by professionals from EPA, state agencies, our partner organizations, and leading consultants and trainers in their fields.

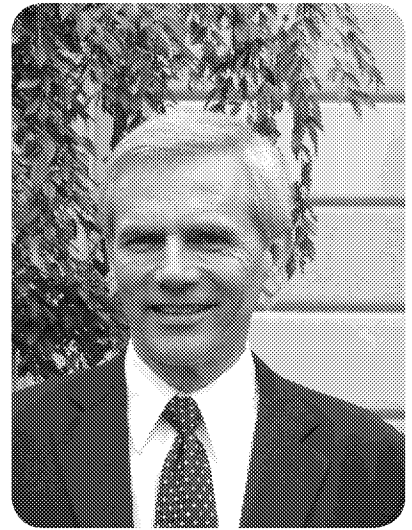
With more than 40 years of experience, RCAP has been and will continue to be a leader in providing comprehensive training and technical assistance to rural communities. Our success has been entirely the result of the tremendous work that each of you accomplish in the field and in regional offices across the country. There are literally millions of rural Americans who rely on your efforts and you have shown how to consistently deliver those services that are most needed by small and low-income communities.

If you have any questions about the conference, RCAP activities, or even what to do outside the program, please ask me or any of the national office staff: Joy Barrett, Dave Clark, Ari Neumann, and Breanna Detwiler. We are all here to help make this conference an enjoyable and educational experience for everyone.

Sincerely,



Robert Stewart
RCAP Executive Director



Join Robert on Tuesday, October 6th from 5:15-6:00pm when he will lead you on a photo journey through China, including Beijing, the Great Wall, Tibet, Tiger Leaping Gorge, and the karst mountainous region near Yangshuo (from his three week trip in May). Two lucky participants will be randomly selected to receive a gift from China!

Follow us on:



#RCAP2014

Conference Agenda in Detail

MONDAY, OCTOBER 6

4:00-7:00pm Registration, *Top of the Park*
6:00-8:00pm Evening Reception, *Top of the Park*

Operations (Track 1)

Operations (Track 2)

Tips, Tricks, & Tools

TUESDAY, OCTOBER 7

7:30-8:30am Buffet Breakfast and Registration, *The Hall of Wisconsin*

Management & Finance

Organizational

8:30-11:30am Opening Remarks
(15 min break around 10:00am)
Mike Brownfield, CEO, Midwest Assistance Program
Robert Stewart, Executive Director, RCAP
Ari Neumann, Policy Director, RCAP
Jill D. Jonas, Director, Bureau of Drinking Water & Groundwater, Department of Natural Resources, State of Wisconsin
Mindy Eisenberg, Chief of the Drinking Water Protection Branch, Office of Groundwater and Drinking Water, US EPA
Stan Gruszynski, Wisconsin State Director of USDA Rural Development (*Invited*)
Sen. Ron Johnson (R) (*Invited*)
Sen. Tammy Baldwin (D) (*Invited*)

11:30-12pm Break

12:00-1:30pm Banquet and Awards Ceremony, *The Hall of Wisconsin*

1:30-3:00pm SESSIONS

Groundwater Rule and Arsenic and Nitrate Remediation, *Vilas B*

The Groundwater Rule was adopted in 2006 and contains requirements for monitoring, treatment, sanitary survey inspections, and corrective actions. Case studies will be presented on how Wisconsin water systems are complying with the rule and how the Wisconsin DNR is implementing the requirements. Worldwide, nitrate is the most common chemical contaminant in groundwater aquifers, and nitrates and arsenic continue to present challenges for water systems trying to comply with SDWA standards. Explore arsenic and nitrate regulations, the health concerns of exposure to these contaminants, and discuss non-treatment compliance options along with appropriate treatment technologies.

Steve Elmore is the Chief of the Public Water Supply Section at the DNR, managing the Safe Drinking Water Act regulatory program for Wisconsin. He has a Bachelor's degree in Geological Engineering from Purdue University and has worked for the Bureau of Drinking Water and Groundwater for 13 years in the public drinking water and water use programs. Prior to working for the DNR, Steve taught environmental education for the Peace Corps in Bulgaria.

Stevan Palmer is an RCAC Rural Development Specialist II who has been helping rural water and wastewater systems in California and Nevada build capacity for over 11 years. He provides training and direct assistance in financial planning, regulatory compliance, water treatment technologies, water conservation, and other areas. He facilitates annual arsenic and nitrate remediation symposiums in California and also oversees the RCAC income survey program.

Basic Water and Wastewater- Intro Level Course, *Doty A*

This session will cover the fundamentals of water supply, treatment, and distribution, as well as wastewater collection, treatment, and disposal. This entry-level session will be particularly useful for those who have limited knowledge or experience in the subject area and wish to gain a fundamental understanding of water and wastewater principles and practices.

Neil Worthen has 35 years of water and wastewater system operation and management experience in California, Hawaii, and overseas. His recent experience prior to joining RCAC in 2006 includes 4 years as Public Works Director for the City of Rio Dell, California and 6 years as State Revolving Fund Coordinator with the California Rural Water Association. Mr. Worthen has developed and delivered over 30,000 hours of classroom training, written and presented papers at various state and national conferences, and holds a wide variety of active certifications in water, wastewater, and energy technology.

DCS Refresher, *Capitol West*

National RCAP staff will lead a discussion of our efforts toward outcome-based reporting of activities to more completely document the partnership's accomplishments. See how the data you enter is used for reporting and why reporting in the DCS is one of the most important things you do. After all, if it's not in the DCS, it didn't happen. All RCAP regional technical assistance providers and other staff who utilize the DCS to report and track project progress are welcome to attend.

Dave Clark, Director of Environmental Programs, came to work at RCAP's National Office in 2005 after serving as a RCAP Technical Assistance Provider in West Virginia for 11 years. He has worked in all of RCAP's programs over the years, including drinking water, wastewater, and solid waste infrastructure-related work. He has also received grants extending the RCAP work in watershed, source water, and telecommunications areas.

Asset Management for Very Small Systems, *Vilas A*

Very small drinking water and wastewater systems (typically <300 connections) face significant challenges maintaining their infrastructure. Many of these systems may have an operator whose principal interest is in sampling and monitoring compliance, not in the physical components of the system.

Knowledge of the location, size, age, and condition of important components can be unreliable or non-existent. Finances are often stretched, and budgeting for future improvements can be a new concept. This workshop will describe recent efforts in both New Hampshire and Vermont to address managing assets in very small systems. There will be lots of opportunity for audience participation and input.

Robert Morency has been with the RCAP network since 1998, mostly in New Hampshire, but also working in the Virgin Islands, and now is the State Lead in both NH and VT. Prior to this, he worked as a consulting geologist and cultivated a strong interest in problem solving matters involving water pollution and drinking water quality and quantity. He enjoys working on problems that involve complex issues and decisions. Working with RCAP communities, Robert has been able to apply these interests to real world situations.

Working with Tribal Communities, Capitol East

This presentation will highlight areas of past RCAP tribal work and partnerships with tribes and will provide an overview of existing RCAP tribal programs and federal partners. Tribal governance will also be discussed to review who's who and who does what within a tribe.

Dave Harvey has been an employee of RCAC since 1994, providing oversight and management of the EPA Region 9 Native American water and wastewater system management training and technical assistance project and provided oversight for RCAP's EPA funded Tribal Utility Governance (TUG) program. At RCAC Mr. Harvey focuses on assisting tribally owned public water and wastewater system managers, operators, and tribal decision makers with regulatory compliance including budgeting and rate setting, utility management, operator certification training, developing consumer confidence reports (CCRs), water quality monitoring and recordkeeping, and developing sample siting plans for compliance with the Total Coliform Rule and Ground Water Rule.

Pete Smith has been a TAP with the Midwest Assistance Program serving the State of Minnesota and all Minnesota tribal communities for over 4 years. Prior to joining MAP, Mr. Smith has 20 years' experience in tribal and non-tribal water and wastewater operations.

Jason Gorr has over 20 years' experience in a water and wastewater treatment career. His specialties include technical assistance and training with operators, public works directors, clerks, and tribal/city councils. Regional coordination with MAP's tribal work, including an EPA Tribal Circuit Rider Position in Minnesota involving all 11 Minnesota tribes, has occupied much of his last 10 years' experience.

3:00-3:15pm Break

3:15-5:00pm SESSIONS

Teaching Math to Operators, Vilas B

This will be a train-the-trainer session on RCAP's new module: Math for Water Operators. Concepts covered in the module include setting up word problems, working with fractions, conversion factors for common units in water treatment and distribution, percentages, area and volume, manipulating an equation to solve for the desired parameter, chemical dosing problems, and using the ABC Formula/Conversion Table. While the module's target audience is water operators, most concepts are also applicable to wastewater operations. In addition to building the skills of operator trainers, this session will serve as a thorough review for operators.

Joy Barrett is the Director of Training and Technical Services for the RCAP National Office. She develops resources for small system operators and managers, provides technical backstopping, coordinates training activities across the RCAP network, and serves as point-person for RCAP's operator recruitment and training issues. Ms. Barrett holds a Ph.D. in Environmental Engineering from the University of Colorado and has 30 years of experience in community development focused on water and wastewater infrastructure. She is a Trustee of the AWWA Small Systems Division, a member of the Union of Concerned Scientists, and supervisor of the Water Fundamentals course at the Rocky Mountain Water and Wastewater Plant Operators School.

Jeff Oxenford has over 25 years of experience providing innovative solutions to the water industry to improve service, protect health, and reduce costs. Mr. Oxenford combines a strong technical background in water quality and treatment with extensive business experience in knowledge management, technology transfer, business process management, and customer service. He provides operator training on a variety of topics that include distribution system water quality, reducing water loss, operator math, chemistry, and managerial capacity.

Cross-Connection and Backflow Prevention in the Rural Area, Doty A

This workshop will provide RCAP's field personnel useful information on how they can assist their clients with the implementation of cross-connection and backflow prevention measures within public water systems to help ensure the safety of drinking water. This objective will be accomplished through an analysis of scenarios concerning various cross-connection incidents and their impact on public health and through a comprehensive review of the seven essential elements of an effective cross-connection control and backflow prevention program.

Len Klandrud has 30 years of experience as a Public Water Supply Field Inspector for the Texas Department of Health, Texas Water Commission, and Texas Natural Resource Conservation Commission. In addition, he spent 16 years as a Water Sampling Technician and Water Instructor for Texas Rural Water Association.

SCADA Basics and Applications of SCADA Systems, Capitol West

Presentation will cover the basics of SCADA, such as how large/small can a SCADA System be, what makes up a SCADA System, what are the benefits of a SCADA System, what to look for in a SCADA System, and how much does a SCADA System cost. The presentation will also cover a couple examples of installed SCADA Systems.

Shane Zenz has been involved with municipal and industrial consulting engineering for the past 25 years. His experience includes electrical power distribution (15 KV and below), medium and low voltage standby power systems, process controls and instrumentation, supervisory control and data acquisition (SCADA) systems, radio telemetry, energy conservation, energy analysis and review, building electrical systems, security and access control systems, fire alarm systems, video surveillance, and roadway lighting.

Energy Audits, Vilas A

This workshop will describe energy audits, authenticate the value of audits, and demonstrate to RCAP TAPs how they can help their systems increase energy efficiency with a few simple steps!

Scott Strahley is both a Professional Engineer and Certified Energy Auditor and has over 22 years of experience in design, construction, and management for projects in water, wastewater, roadway, bridge, storm water, solid waste, recycling, and energy related fields. He is affiliated with the American Society of Civil Engineers (ASCE), the National Society of Professional Engineers (NSPE), the Ohio Society of Professional Engineers (OSPE), the Professional Land Surveyors of Ohio (PLSO), the Association of Energy Engineers (AEE), and the Civil Engineers of Charleston (Past President).

Coordination and Collaboration by Funders and Technical Assistance Providers in Support of Small Communities, Capitol East

Hear from the Executive Director of Ohio's SRF authority about the state's efforts to coordinate funding among federal and state agencies, local governments and groups, and other funding entities to help small communities meet their environmental infrastructure needs. Learn from the successes and difficulties Ohio has encountered to see ways in which the funding agencies in your state can better coordinate their efforts. Mr. Grossman will also present the findings from the National Small Community Water Infrastructure Exchange's report on funding coordination at the state level: which states coordinate, how they do so, and what best practices they have learned along the way.

Steve Grossman, Executive Director of the Ohio Water Development Authority, oversees the financing to local governments for projects related to water pollution control, water supplies, solid waste, and brownfield remediation. In his 26 years with the Authority, Mr. Grossman has presided over awarding approximately \$10 billion dollars of loans. He also has overseen the issuance of more than \$7.4 billion of revenue bonds. Standard & Poors and Moodys rate the three major OWDA bond series AAA.

WEDNESDAY, OCTOBER 8

7:00-8:00am Breakfast, Mezzanine

8-9:45am SESSIONS

Revised Total Coliform Rule, Vilas B

EPA will provide an overview of the Revised Total Coliform Rule (RTCR), including general differences between the original Total Coliform Rule and the Revised Total Coliform Rule. EPA will also provide helpful hints about key state specific RTCR requirements that RCAP TAPs will need to know in order to help with successful training of water systems.

Nancy Ho has over 12 years' experience working for the US EPA drinking water program. Her experience includes 5 years of leading a team in the direct implementation of the Stage 2 Disinfectants and Disinfection Byproducts Rule for over 1200 water systems on behalf of the state drinking water primacy agencies. Currently at EPA HQ, Ms. Ho provides support related to policy and implementation of the Revised Total Coliform Rule.

Technology Options for Small Wastewater Systems, Doty A

This session is intended for those with wastewater experience. It will provide a description of the major technologies for wastewater collection and treatment, list the advantages and disadvantages of each, and provide for participant input on experiences with these technologies. An approach for analyzing alternatives will also be discussed along with suggestions for RCAP network-wide resources.

William (Bill) Hogrewe is a Rural Development Specialist with RCAC. In his position at RCAC, Mr. Hogrewe provides technical assistance and training for small community water and wastewater operators and managers. He is an environmental engineer with over 39 years of experience in the planning, funding, design, construction, and operation of small and large water and wastewater facilities. He holds a Ph.D. in Environmental Engineering from the University of Colorado and is a registered engineer in Colorado and Arizona.

EPA/USDA Sustainable Management of Rural and Small Systems (8am-noon), Capitol East

EPA and USDA have developed a series of resources to support rural and small systems sustainably manage their challenges. The purpose of this train-the-trainer workshop is to enable participants to work with these materials through workshops and on-site assistance. Participants will gain a more complete understanding of the Rural and Small Systems Guidebook, receive tips for structuring and facilitating workshops based on the Workshop in a Box materials, share training tips with other participants, and much more. Participants completing the workshop will receive a certificate from EPA.

Rob Greenwood's 30+ years of experience ranges from supporting one-time, day-long workshops and strategic retreats to multi-year, multi-interest program development initiatives. He has substantial water sector utility experience including support to water sector effective utility management initiatives and water utility sector efforts to identify all hazards, management elements, and associated performance metrics. Mr. Greenwood has supported EPA's EUM initiative since its inception and was the primary author of the EUM Primer and associated documents as well as the Rural & Small Systems Guidebook to Sustainable Utility Management.

Tips/Tricks to Streamline Asset Management Using CUPSS and GIS, Vilas A

Case studies will demonstrate how Maine utilities are using the Check Up Program for Small Systems (CUPSS) import template. Specific tips will be given on how GIS table entries can be minimized for more-efficient spreadsheet use and links. Examples will be shown of how GIS tables and CUPSS spreadsheet outputs can be joined so that all CUPSS data can be displayed in the GIS. Tips on asset naming and asset ID will be recommended. Finally, generating a CUPSS repair/replacement (R&R) cost schedule and multi-year capital expense graphs will be presented.

Art Astarita, RCAP Solutions Maine State Lead, is a geologist and joined RCAP in March 1998. Mr. Astarita's passion for GIS mapping includes detailed inventory of system equipment which is fundamental for source protection, asset management, capital improvement planning, emergency response, and vulnerability assessment. His proficiency with system rate setting, income surveys, environmental reports, and writing funding proposals round out his services. He has helped co-fund numerous water and wastewater infrastructure improvement projects.

Conflict Resolution/ Group Facilitation, Capitol West

In our RCAP work, we often walk into situations that require group facilitation, mediation, and conflict resolution skills. These situations present us with opportunities to facilitate positive change, move the community forward, and help overcome complacency. In this hands-on session, we will intro-

duce strategies, tools, and practices to help you move communities from conflict to positive change.

John Rauch graduated from The Ohio State University and is certified in negotiation from Notre Dame University. He has 30 years of experience in finance having worked in residential, business, and environmental finance. He has been with RCAP for 16 years and has been Ohio State Coordinator for almost 10 of those years. He has been instrumental in expanding the state's program to a nearly \$1.5 million operation. He has worked on several water and wastewater restructuring projects.

Ari Neumann, Policy Director in the RCAP National Office, is originally from the small town of Genesee, in rural Idaho. He has a B.A. in American Studies from Stanford University with a concentration in American Environmental Policy and a J.D. from the University of Washington School of Law in Seattle, Washington, where he studied water, environmental, and administrative law. Prior to joining RCAP, he served as a legal intern for U.S. Senator Maria Cantwell (D-Wash.) and at the Natural Resources Defense Council in Washington, DC.

9:45-10:00am Break

10am-12pm SESSIONS

What RTCR Tools Are Needed for Small System Compliance?, Vilas B

Discussion will focus on Level 1 and Level 2 Assessor Criteria, Assessment Forms, and Seasonal System Start-up Procedures. Participants will provide feedback on other tools that may be needed to assist small systems with successful RTCR compliance, especially those tools that can help water systems 1) identify sanitary defects, 2) conduct appropriate repeat monitoring, and 3) complete corrective actions.

Joy Barrett is the Director of Training and Technical Services for the RCAP National Office. She develops resources for small system operators and managers, provides technical backstopping, coordinates training activities across the RCAP network, and serves as point-person for RCAP's operator recruitment and training issues. Ms. Barrett holds a Ph.D. in Environmental Engineering from the University of Colorado and has 30 years of experience in community development focused on water and wastewater infrastructure. She is a Trustee of the AWWA Small Systems Division, a member of the Union of Concerned Scientists, and supervisor of the Water Fundamentals course at the Rocky Mountain Water and Wastewater Plant Operators School.

Nancy Ho has over 12 years' experience working for the US EPA drinking water program. Her experience includes 5 years of leading a team in the direct implementation of the Stage 2 Disinfectants and Disinfection Byproducts Rule for over 1200 water systems on behalf of the state drinking water primacy agencies. Currently at EPA HQ, Ms. Ho provides support related to policy and implementation of the Revised Total Coliform Rule.

Surface Water Treatment Options and Special Considerations, Doty A

This workshop provides a basic overview of surface water treatment and special treatment issues. The following questions will be addressed, what are the considerations for treatment of surface water sources, what kind of problems arise out of a prolonged drought period, and is it cheaper to treat surface water or purchase water from a larger system. Conventional surface water treatment methods, special treatment methods, and some case histories of a few projects will be reviewed.

Leonard Leinfelder has been in the water utilities industry for over 32 years, working in distribution, collection, groundwater systems, surface water, and activated sludge wastewater systems. He has owned and operated a contract operations company for several small rural communities as well as handled operations and management of larger cities in Texas. Mr. Leinfelder has also assisted the Texas Commission on Environmental Quality in several work groups.

Preparedness: You, Family, and Work, Vilas A

Fulfilling your work duties during and after an emergency or disaster will be a challenge, are you ready to do what is needed? Understanding the challenges in a disaster of balancing family, work, and your survival can put a person into a situation of frozen panic. Your ability to know the vulnerabilities you face will help to prepare you for facing emergency events. This interactive workshop will pull you out of your comfort zone to confront issues focusing on preparedness for work, family, and yourself.

Deborah Patton serves as a Rural Environmental Specialist for RCAC. In this position she covers Arizona helping rural communities to build capacity. Ms. Patton has extensive experience providing and managing water and wastewater services for community, tribal, federal, and local grant funded work. She has developed extensive programs that helped to bridge the gap between tribes and various federal, state and local agencies. Her work has included duties related to water and wastewater operator certification, vulnerability assessments, and emergency response training.

Telling the RCAP Story, Capitol West

We know how our work affects states, communities, and families, but how do we tell that to others? In this session you'll learn how to best capture the work you do through images, videos, and compelling narrative.

Breanna Detwiler is the new Communications Director in the National RCAP office. She has a B.A. in Environmental Studies and received her Master's in Environmental Management from Queen's University in Belfast, Ireland. In her research and professional experience, Ms. Detwiler uses digital communication to tell a compelling environmental story. Prior to joining RCAP, she worked as the Director of Partnership Development for Airlie Center in Warrenton, Virginia.

12-1:30pm Lunch On-Your-Own (recommendations and map on page 10)

1:00-3:00pm SESSIONS

Distribution Systems Water Quality (1:30-5pm), Doty A

This workshop will cover 5 modules from the Essentials of Distribution System Water Quality curriculum that was developed in partnership with RCAC for the State of Colorado. Topics to be discussed include distribution as a barrier to protect public health, distribution system water quality, components, pressure loss, and flushing.

William (Bill) Hogrewe is a Rural Development Specialist with RCAC. In his position at RCAC, Mr. Hogrewe provides technical assistance and training for small community water and wastewater operators and managers. He is an environmental engineer with over 39 years of experience in the planning, funding, design, construction, and operation of small and large water and wastewater facilities. He holds a Ph.D. in Environmental Engineering from the University of Colorado and is a registered engineer in Colorado and Arizona.

Jeff Oxenford has over 25 years of experience providing innovative solutions to the water industry to improve service, protect health, and reduce costs. Mr. Oxenford combines a strong technical background in water quality and treatment with extensive business experience in knowledge management, technology transfer, business process management, and customer service. He provides operator training on a variety of topics that include distribution system water quality, reducing water loss, operator math, chemistry, and managerial capacity.

Jay Mashburn has been a RCAC technical assistance provider for more than 14 years. He has been a registered engineer for 22 years. He has worked on projects in Africa, Asia, and North America. He achieved a MAR in cross cultural communication and continues to work toward a full recovery from his engineering past.

Rural Recycling - Challenges and Rewards, Capitol East

Rural solid waste and recycling programs can be difficult to implement and finance. Learn how to address issues such as identifying and implementing solid waste ordinances, dealing with local officials, and starting and financing a community recycling program. Share your own challenges and success stories with the group.

Debbie Hackman has over 20 years' experience in solid waste and recycling management. She has served as recycling supervisor for the City of Seymour, Indiana and Manager of Rumpke Recycling in Louisville, Kentucky. She is currently the Executive Director of the Jackson County, Indiana Solid Waste District and Solid Waste Advisor for the Indiana RCAP Program. Debbie is a member of the Indiana Chapter of SWANA (Solid Waste Association of North America) Board of Directors and is a member of the Association of Indiana Solid Waste Management Districts Board of Directors.

Resources for Operators and Private Well Owners, SmallWaterSupply.org, Capitol West

In this session, the resources available through SmallWaterSupply.org will be described to provide RCAP staff with an understanding of how they can use the site to help the communities they serve. In addition to a national calendar and links to over 12,000 free publicly available documents, the site includes lists of operator schools around the country, a tribal resources page, and helpful articles to help operators do their jobs. This presentation will also provide a description of the Private Well Class program and how the RCAP-UI team will be coordinating 2015 planned workshops.

Steve Wilson is a Groundwater Hydrologist who has been at the ISWS since 1983. He has worked on numerous projects related to the Mahomet Aquifer, arsenic, private wells, and projects involving small water and wastewater systems, those most likely to be out of compliance with the SDWA and the CWA. Mr. Grossman is currently involved in managing the PrivateWellClass.org an online program that helps private well owners better understand their responsibilities for managing their wells, and SmallWaterSupply.org, an online resource for water and wastewater operators. He is a member of the NGWA, AWWA, WEF, ILRWA, and IGA.

Source Documents to Rates (1:30-5:00pm), Vilas A

In this session, you will learn Ohio's approach to utility rate analysis. Ohio perform rates studies on a direct contract basis at a standard cost of \$5,000 for a single utility and \$9,000 for a combined water and sewer system. They use rate studies to lay the groundwork for asset management by incorporating a discussion of improved maintenance and capital improvement planning.

Wayne Cannon graduated from Wilmington College of Ohio with a B.S. degree in Agriculture and minors in Business Administration, Biology, and Chemistry. He earned a Master's degree in Agricultural Economics from the University of Illinois at Urbana-Champaign. After graduation, Mr. Cannon worked with USDA/RD for 11 years, serving the credit needs of small communities in southwestern Ohio. Working from the Hillsboro, Ohio field office, he was responsible for a community facility and water/waste disposal loan portfolio in excess of \$100 million. He began working for Ohio RCAP in August 2006.

Fee for Service Activities, Vilas B

Workshop presenters will discuss the various types of fee for service work RCAPs may take on to diversify funding. Considerations for fee for service work, staffing, budgeting, and making successful proposals will be covered. There will be group exercises to help attendees develop a proposed fee for service proposal and how to create appropriate budgets.

Deb Martin is the Program Manager for the Great Lakes RCAP program. In addition to the RCAP program, other community development services include community planning, economic development services, community facilities project development, watershed management, and loan programs and technical assistance for small businesses and communities, as well as international programming in the above areas and civil society issues. Ms. Martin has over twenty years' experience working with small communities and local governments and with nonprofit program management and development. She currently serves as a US Chair for the US-Russia Social Expertise Exchange, an initiative of the Eurasia Foundation and USAID.

George Schlender, Director of Environment, Planning and Capacity Building with RCAC, has worked as an environmental specialist for the State of Washington in the water resources program, drinking water program, and municipal wastewater/reclaimed water program of State Health Department. He has over 30 years' experience with the state of WA. He directs RCAC's environmental programs in their 11 state region and has worked for RCAC for over 10 years.

Laurie McVay has been with the Grants and Contracts Administration unit of RCAC since its inception in April of 2003. During that time, RCAC's program of mostly federal and state grants has transformed into a diversified and substantial mix of grants and contracts, including fee-for-service contracts and a fixed priced General Services Administration (GSA) award. During her tenure at RCAC, Ms. McVay has developed a contract management database, managed RCAC's 2010 Technitrain ARRA program, participated in a two-day OMB grant regulation training in 2013, and currently oversees a staff of four grant/contract analysts.

3:00-3:15pm Break

3:15-5:00pm SESSIONS

Preparing for a Sanitary Survey of a PWS, Capitol East

This session will provide RCAP's field personnel with useful information directed towards how they can assist their clients with the preparation for

a sanitary survey of their public water system. This will be accomplished by a comprehensive review of the primary items that should be completed prior to the arrival of the state regulatory personnel. Emphasis will be placed on organization of records and conducting a self-inspection of the PWS.

Len Klandrud has 30 years of experiences as a Public Water Supply Field Inspector for the Texas Department of Health, Texas Water Commission, and Texas Natural Resource Conservation Commission. In addition, he spent 16 years as a Water Sampling Technician and Water Instructor for Texas Rural Water Association.

Developing GIS/GPS Services, Capitol West

From our case work, we will be addressing state regulations, equipment and cost, time allotments, contracts, techniques, storage, and delivery.

Elaine Crutchfield joined CRG in October of 2001, after working for the University of Arkansas' Office of Services to Business and Industry as a business and industry consultant. Dr. Crutchfield is experienced in designing and implementing both qualitative and quantitative methodologies. She is responsible for grant management, development, communications, new program development, and organizational impact assessment. She currently manages CRG's GIS mapping program, including the partnership with the University of Arkansas' Center for Advanced Spatial Technology.

Phyllis Brown joined Community Resource Group in September of 2009. She has more than 24 years of experience as a water and wastewater utility operator, utility manager and technical assistance provider with the Texas Rural Water Association. She started in 1996 working the Wellhead Water Protection Program with Texas Commission on Environmental Quality (TCEQ) using GIS/GPS to locate potential hazards to drinking water/wastewater systems within Texas. In 2013-14, Ms. Brown developed CRG's first GPS/GIS Water-Wastewater Infrastructure Mapping and Asset Management program to begin providing this service to many small communities with inadequate maps of existing infrastructure.

Art Astarita, RCAP Solutions Maine State Lead, is a geologist and joined RCAP in March 1998. Mr. Astarita's passion for GIS mapping includes detailed inventory of system equipment which is fundamental for source protection, asset management, capital improvement planning, emergency response, and vulnerability assessment. His proficiency with system rate setting, income surveys, environmental reports, and writing funding proposals round out his services. He has helped co-fund numerous water and wastewater infrastructure improvement projects.

Joseph Lawrie completed his undergraduate studies at Miami University where he graduated in the spring of 2012. After completing the requirements for the Professional Certificate in Geographic Information Systems, he continued to take GIS intensive coursework. After an internship with the Butler County (OH) Emergency Management Agency, Joseph began working with the RCAP GIS Team mapping and modeling municipal assets.

David Garretson attended the University of Akron as a graduate assistant in 2008 and instructed the Advanced GIS Laboratory. He earned a Master's degree in GIS from the University of Akron in August of 2010 and began working for Ohio RCAP in February of 2011.

Presenting Effective Group Training, Vilas B

This session will examine methods currently used to reach the maximum number of participants and to get them involved in the training process. It will cover ways to develop effective lesson plans and effective use of audio-visual materials. It will also link the four RCAP outcomes to the training. A brief overview of RCAP training tools and how to access them will be discussed.

Karen Conrad has been continuously employed in the water/wastewater treatment field since 1980. She holds a Class A water certification and a Class B wastewater certification in Oklahoma and Missouri. She is a former director and instructor at the Environmental Resource Center at Crowder College and former superintendent of the Missouri American Water, Joplin, Missouri treatment facility.

THURSDAY, OCTOBER 9

7:30-8:00am Breakfast, Hall of Wisconsin

8:00-8:30am Jacqueline M. Ponti-Lazaruk, Acting Administrator for the Rural Utilities Service, USDA, Hall of Wisconsin

8:45-10:00am SESSIONS

Membrane Treatment, The Basics, Doty A

Why is membrane treatment of water sources becoming more popular and prevalent? How does the membrane process work, and what is the difference in different types of membranes? What are some of the considerations in selecting membranes and how am I sure it is going to work in my application? This will be an overview of the osmosis process and the considerations for the selection process.

Leonard Leinfelder has been in the water utilities industry for over 32 years, working in distribution, collection, groundwater systems, surface water, and activated sludge wastewater systems. He has owned and operated a contract operations company for several small rural communities as well as handled operations and management of larger cities in Texas. Mr. Leinfelder has also assisted the Texas Commission on Environmental Quality in several work groups.

Inflow & Infiltration Basics, Capitol East

This presentation will discuss why inflow and infiltration (I & I) is a problem, the impacts on peak flows, finding and fixing I & I, and implementing I & I reduction projects.

Joshua Myers has 20 years of experience in providing technical assistance to local and tribal communities to improve and develop water, wastewater, and solid waste systems. Mr. Myers is responsible for delivering training, performing outreach and networking, program development, performing research and analysis, and publishing results. He participates in continuing education classes to keep abreast of changing policies and procedures. During the last year, Josh has participated in trainings on the Nation Environmental Policy Act (NEPA), energy audits for water and wastewater systems, emergency response planning, training protocols, and asset management.

RosAnna Noval, Rural Development Specialist with RCAC, is an environmental scientist experienced in program development and coordination, water quality monitoring, and natural resource management. As an RDS, Ms. Noval provides training and technical assistance to water and wastewater utilities. Trainings

developed and delivered by Ms. Noval include ARRA reporting and project management, board/city council utility management responsibilities, finance and asset management, and septic system management. She has a BS in Environmental Science from the University of North Carolina at Wilmington.

Sustainable Utilities Through Regional Collaboration, Capitol West

Regionalization, partnership, and collaboration are just some of the names given to an approach through which utilities can create technical, financial, and managerial sustainably and long term capacity. Some of the things discussed during this session will include, when is regionalization a good option, what are the elements of regionalization, and what are the different types of regionalization.

Blanca Surgeon works with Rural Community Assistance Corporation (RCAC) in the Santa Fe New Mexico field office providing technical assistance and training to drinking water providers in rural communities in the state. Ms. Morales is a graduate of the University of New Mexico with a Master's degree in Water Resources Administration. She has worked in the environmental field for over fifteen years. She has been working on state and national efforts related to affordability, regionalization, and performance measures or indicators. Ms. Surgeon assists decision makers in creating local committees, task forces or programs to support, complement and increase community education and participation.

Olga Morales provides technical assistance to rural water and wastewater systems. Ms. Morales helps communities leverage, secure, and manage infrastructure projects with an annual average of \$25M. She serves as the lead trainer in New Mexico, Arizona, Colorado, and California. In 2010, Ms. Morales drafted and passed legislation creating a permanent infrastructure project fund for entities federally designated as colonias along the US-Mexico border. Ms. Morales served as co-chair of the EPA Climate Ready Water Utilities Work Group in 2010 and was appointed as chair of the National Drinking Water Advisory Council (NDWAC) in 2011. She completed her graduate and undergraduate studies at New Mexico State University.

Project Management for RCAP Facilities Development Projects, Vilas A

This session will train on helping communities with FD projects from planning and design through the end of construction and opening.

Kurtis Strickland has worked for Ohio RCAP for 15 years assisting water and wastewater systems across Ohio. He specializes in acquiring financing for water and wastewater projects. He was recognized as the TAP of the Year for the 7 state Great Lakes RCAP region in 2009. He was recognized nationally in 2010 when he received the Outstanding Mentor Award from the RCAP National Office. In his spare time, he has served as President of the Oak Hill Area Chamber of Commerce for 9 years.

TAP Rap, Vilas B

In this facilitated session, experienced Technical Assistance Providers (TAPs) from across the RCAP network will have the opportunity to share experiences, questions, challenges, and lessons learned on particular aspects of their work, including utility management, operation and maintenance, and small system affordability. Creative tools that have been developed, modified, or just used with success will be described.

Tommy Ricks has been with RCAP and Community Resource Group since April of 1997. He is responsible for managing the Rural Community Assistance Program in Mississippi. Mr. Ricks also conducts group training sessions including the MS Certified Board Management Training Program and the Certified Advanced Management Training Program for board members, certified operators, and other non-certified water/wastewater system personnel throughout the state. Prior to coming to work with Community Resource Group, Mr. Ricks had eight years' experience as a certified water operator and water system manager.

Debbie Luther has worked for CRG in Mississippi for 11 years and previously in Arkansas working with water and wastewater systems as a grant administrator. She enjoys providing assistance to communities all over the state, giving them the resources needed to improve their system management and helping with funding applications to upgrade or improve their facilities. In addition, she has delivered a variety of training sessions ranging from board management training to energy efficiency and emergency management.

Chris Fierros has more than 25 years of experience assisting rural communities to solve quality of life issues. These include environmental, housing, and infrastructure problems, as well as economic development issues. She has assisted commissions and boards in loan and grant procurements and management and has over 25 years of experience in various administrative and personnel responsibilities including secretarial duties, customer service, salary and personnel action resolutions, correspondence, and computer skills.

Joan Douglas has worked with Southeast RCAP since 1998, starting as a TAP, and is currently Director of Regional Programs. She provides onsite assistance with financial, managerial, and technical problems with water and wastewater system operation; small group management and security training for boards and staffs of public utilities; onsite and training assistance for planning, financing, and development of new water and wastewater systems; and onsite assistance to water/wastewater system staff in areas of rate setting, policy development, accounting, bookkeeping, and environmental compliance.

10:00-10:15am Break

10:15-12:00pm

Teaching Chemistry to Operators, Doty A

This will be a train-the-trainer session on RCAP's new module: Chemistry for Water Operators. Concepts covered in the module include mass; chemical bonding; solubility; concentration in solution and dosing; pH, acids, and bases; and chemistry of treatment processes. While the module's target audience is water operators, most concepts are also applicable to wastewater operations. In addition to building the skills of operator trainers, this session will serve as a thorough review for operators.

Joy Barrett is the Director of Training and Technical Services for the RCAP National Office. She develops resources for small system operators and managers, provides technical backstopping, coordinates training activities across the RCAP network, and serves as point-person for RCAP's operator recruitment and training issues. Ms. Barrett holds a Ph.D. in Environmental Engineering from the University of Colorado and has 30 years of experience in community development focused on water and wastewater infrastructure. She is a Trustee of the AWWA Small Systems Division, a member of the Union of Concerned Scientists, and supervisor of the Water Fundamentals course at the Rocky Mountain Water and Wastewater Plant Operators School.

Jeff Oxenford has over 25 years of experience providing innovative solutions to the water industry to improve service, protect health, and reduce costs. Mr. Oxenford combines a strong technical background in water quality and treatment with extensive business experience in knowledge management, technology transfer,

business process management, and customer service. He provides operator training on a variety of topics that include distribution system water quality, reducing water loss, operator math, chemistry, and managerial capacity.

What is Non-Revenue Water and What to Do About It!, *Capital East*

This session will cover what is non-revenue water and look at the real cost of lost water, where to look for it, and how to find it. Instructors will define non-revenue water and cover the components of a water loss control program, including the steps involved in a water audit. Finally, instructors will show how to use the AWWA Water Loss Software and the Ohio RCAP Water Loss worksheet.

Thomas Fishbaugh Prior to his work with RCAP, Tom spent over thirty years in public service, holding a variety of positions related to the operation and management of water and wastewater systems large and small. He has developed many presentations and training courses for local officials including utility and financial management, and has delivered these courses to more than 1500 officials. Tom served on the Board of Directors for the Water Environment Federation and is a Life Member of American Water Works Association.

Helping Utility Boards Thrive: Lessons Learned with Tools, Resources, and Methodologies That Help Boards Thrive, *Vilas A*

This session will share some of the lessons learned, tips, tricks, and methodologies for working with utility boards and managers. In Hawaii, RCAP has transformed failing water systems that had no plan and no understanding of how to deal with their problems into water systems which have been spotlighted by the Hawaii Safe Drinking Water Branch as success stories. Some of these tools have included strategic planning, learning how to work together and make decisions, asset management, monthly reporting, and rate setting tools.

Joy Gannon worked in public works for 10 years managing water and wastewater systems as well everything from swimming pools to cemeteries. For the past 8 years, Gannon has worked with mostly small water systems in Hawaii including cooperative, non-profits, homeowners associations, for-profits, and public systems. She has completed mediation training at Maui Mediation Services. For fun, Gannon is a USAW Weightlifting and Crossfit Level I Coach.

Benchmarking/Measuring the Impacts of RCAP's Work, *Vilas B*

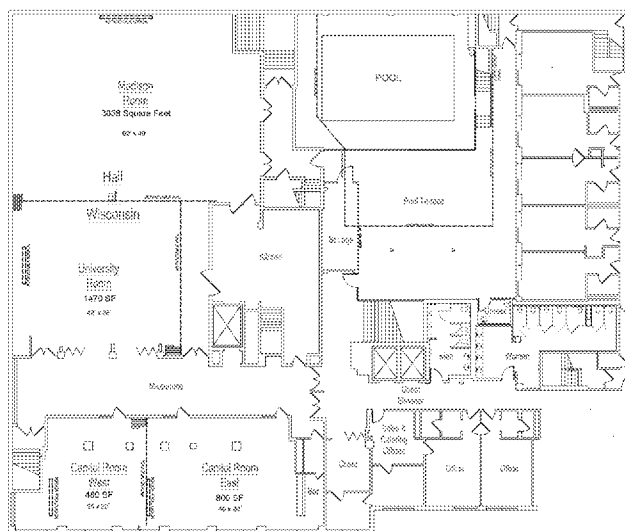
Now that you've learned new tools and skills at this conference, you can measure the impact they are having on communities. Go hands on with the new RCAP TMF assessment tools now being deployed, and collect valuable tips from one region's years of experience with the tools. Then follow your data's trail to RCAP and on to the funding agency to see how the tools will be used to measure our progress.

Ari Neumann is originally from the small town of Genesee, in rural Idaho. He has a B.A. in American Studies from Stanford University with a concentration in American Environmental Policy and a J.D. from the University of Washington School of Law in Seattle, Washington, where he studied water, environmental, and administrative law. Prior to joining RCAP, he served as a legal intern for U.S. Senator Maria Cantwell (D-Wash.) and at the Natural Resources Defense Council in Washington, DC.

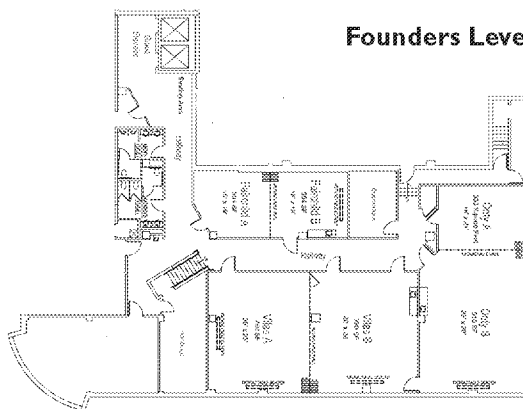
Dale Burton has served as a planner, county manager, solid waste manager, trainer, and technical assistance provider over the past 40 years. Mr. Burton joined RCAC as an environmental specialist in 1997. In this capacity, he develops and delivers technical assistance and training programs for public and nonprofit agencies in the areas of integrated solid waste management, organizational capacity development, and community-based economic development. In 2007, he became responsible for coordinating RCAC's environmental training program. He is currently charged with obtaining IACET certification for RCAC.

Hotel Floorplans

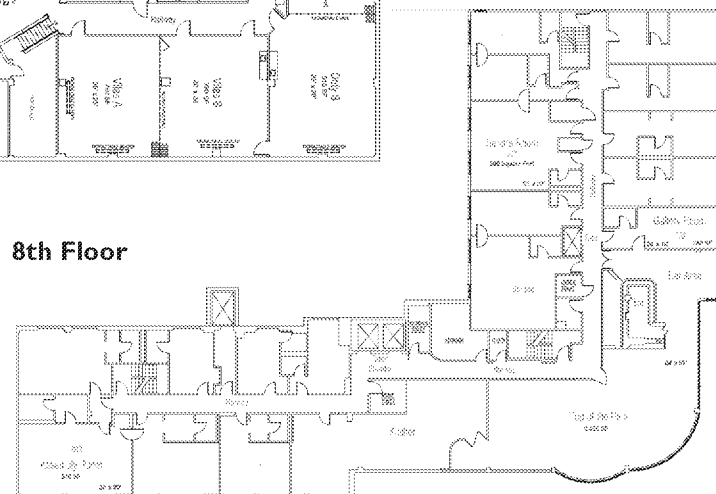
2nd Floor



Founders Level



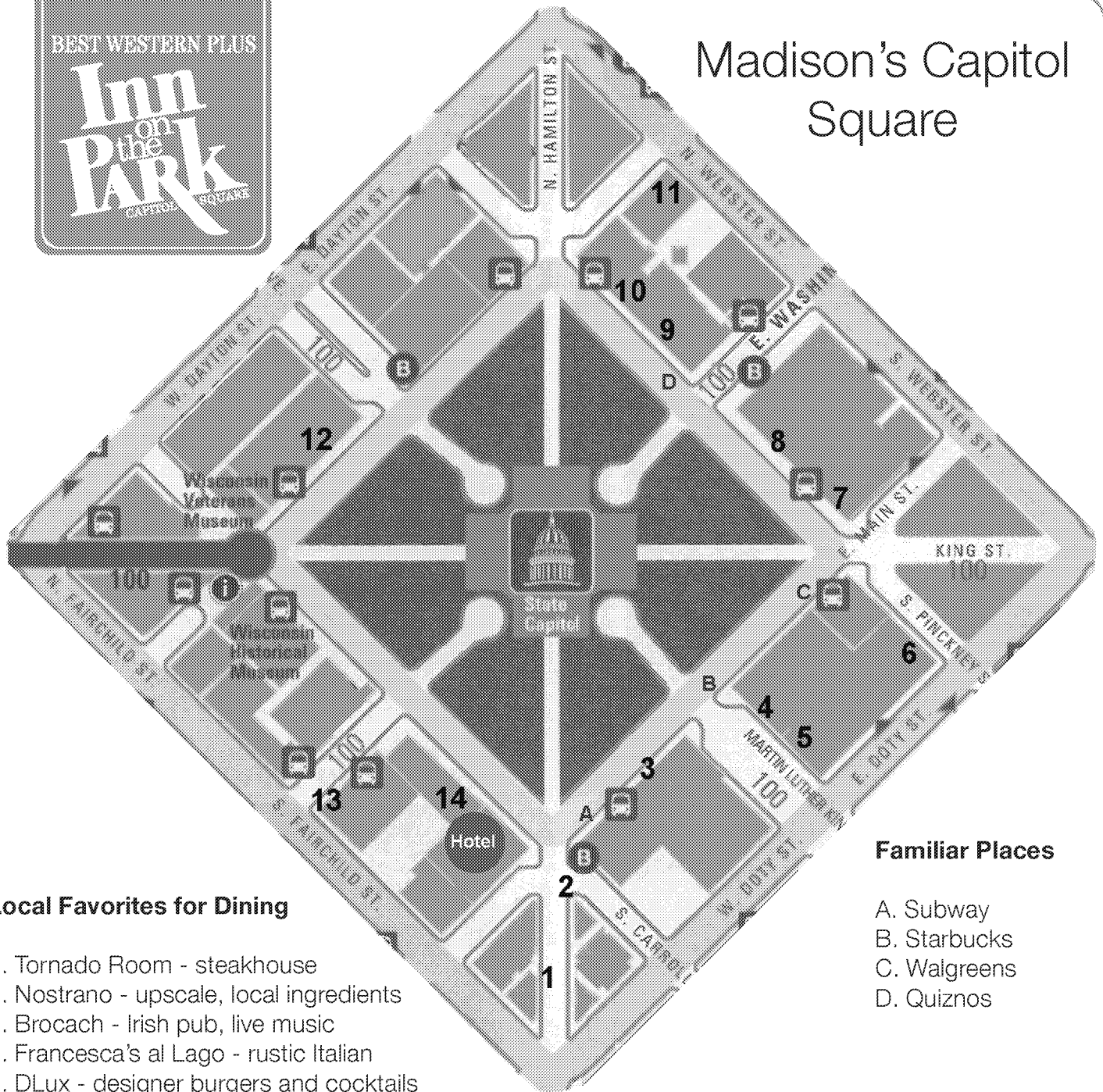
8th Floor



BEST WESTERN PLUS

**Inn
on
the
Park**
CAPITOL SQUARE

Madison's Capitol Square



Local Favorites for Dining

1. Tornado Room - steakhouse
2. Nostrano - upscale, local ingredients
3. Brocach - Irish pub, live music
4. Francesca's al Lago - rustic Italian
5. DLux - designer burgers and cocktails
6. Johnny Delmonico's - Art Deco steakhouse
7. Graze - gastropub, local ingredients
8. L'Etoile - gourmet, nationally recognized chef
9. Harvest - gourmet farm-to-table
10. The Old Fashioned - true "Wisconsin"
11. Heritage Tavern - gourmet, Madison's Chef of the Year
12. Coopers Tavern - craft beer and rustic food
13. Barriques - locally owned coffee house
14. Fromagination - not a restaurant, but an internationally famous cheese emporium. It's fun to stop in for a sample!

Familiar Places

- A. Subway
- B. Starbucks
- C. Walgreens
- D. Quiznos

State Street, indicated in purple on the left hand side of this map, is a six-block pedestrian mall with tons of shopping and dining. It's a very "Madison" place to be!

Casual dress/jeans would be appropriate at each of these restaurants except L'Etoile and Harvest where business casual is the norm.

Final MDH/R5 PWSS Semi-Annual Call Notes and Action Items

September 25, 2014

Attendees

R5: Tom Poy, Rita Bair, Heather Shoven, Miguel Del Toral, Jennifer Crooks, Bill Spaulding, Cary McElhinney, Michele Palmer, Wendy Drake, Janet Kuefler

MDH: Randy Ellingboe, Karla Peterson, Jerry Smith, Bob Smude, Anita Smith, Rochelle Spielman, Dave Rindal, Pauline Wuoti, Todd Johnson, Christine Obrien, Kyle Johnsen, Simon McCormack, Jenna Johnson.

1. High priority activities/ initiatives since our last call (Randy Ellingboe and Tom Poy)

Tom Poy reviewed activities related to Harmful Algal Blooms (HABs) and SDWIS-PRIME.

- a. HABs. The City of Chicago's mayor held a meeting with other Great Lakes mayors on September 24 to raise awareness of this issue, and the EPA Administrator announced additional funding toward the Great Lakes Restoration Initiative (GLRI) Action Plan #2 to address nutrient loadings. There are also several EPA research studies underway to better understand health impacts, treatment optimization, and impacts on other treatment processes when treating for HABs. Randy commented that there are not many lakes in Minnesota used as a drinking water source, but some Mississippi River monitoring has been done, and under low flow/drought conditions there was some elevation of toxins associated with HABs. Karla commented that it was not clear why a chronic standard was used for the drinking water advisory in Toledo, and if this is setting a precedent for other contaminants with chronic health effects, such as Arsenic. Tom commented that there wasn't an acute standard for microcystin in this case and we need to better understand what is considered a safe level. The World Health Organization (WHO) value is the only standard at the federal or global level, but a year from now EPA may have a microcystin standard.
- b. SDWIS-PRIME work is currently scheduled for completion by December 2015. Additional details will be shared with States at the October ASDWA meeting.

Randy Ellingboe mentioned several MDH activities, including:

- a. Preparing for the upcoming legislative session. It's expected that groundwater quality and quantity will continue to be of interest, as well as source water protection including funding for source water implementation grants. The MDNR is also involved in ground water, primarily focused on quantity issues, in "ground water management areas" which may extend beyond source water protection areas and may or may not contain PWSs.

- b. Ongoing work on a virus study that expands on Mark Borchardt's work in Wisconsin. MDH contacts are Lih-in Rezanian (for CWS) and Anita Anderson (for NCWS). The first round of sampling at 80 random PWSs was just completed, and the next round will be more targeted and assess illness rates in the population.
- c. Utilizing a 24-hour on call system for reporting CWS incidents is a positive feature.
- d. Continuing work on nutrient concerns, including co-occurrence of pesticides and nitrates.

Action Items: Tom will raise to HQ the issue of using a chronic standard in a health advisory. Miguel Del Toral will contact Lih-in to obtain a presentation she is preparing on the virus study.

2. RTCR Primacy Application (Bob Smude, Janet Kuefler, Miguel Del Toral)

MDH continues to work on the primacy submittal, including the special primacy requirements. Miguel is working with HQ regarding Wisconsin's proposal to use high volume sampling as a Level 2 assessment tool.

Action Item: R5 asked MDH to complete the RTCR primacy extension agreement by February 2015, if possible.

3. MDH Quality management Plan (QMP) Status (Bob Smude)

Work on the QMP is progressing and Susan Wyatt is currently interviewing MDH staff. Susan will be giving the MDH supervisors a more detailed status update next week. The updated QMP will cover multiple MDH programs.

Action Item: Include QMP status on the next semi-annual call agenda.

4. Contaminants of Emerging Concern: neonicotinoids, TCE (Karla Peterson)

Neonicotinoids. The Department of Agriculture (MDA) tracks neonicotinoids entering the state, but not after this systemic insecticide has been applied as a seed coating, for example, on feed corn or soybean seeds. Neonicotinoids have also been found on landscape plants. About 10 studies have shown that insects such as bees and butterflies may die when exposed to neonicotinoids. MDA is assisting with examining whether this insecticide is in drinking water, a topic that has some legislative interest.

TCE. MDH has a state HBV as of June 2013 of 0.14 ppb for TCE. Several systems with levels above this level are taking actions to address it by modifying treatment. MDH is also looking at 1,2-Dichloroethene (also known as 1,2-dichloroethylene or 1,2-DCE) levels at systems for follow-up. There will be a risk management workshop in the near

future which may help determine how the drinking water program addresses situations like this, since there are so many new health risk levels coming out at the state level.

5. File Review/Enforcement Verification Status of Action Items (MDH and R5)
Randy mentioned system capacity challenges, and we discussed the resource demands and tools we have to deal with recidivism (same system with repeated non-compliance). MDH said that RCAP is working with 8 systems. Tom Poy mentioned that some states are working on consolidation of systems with long-term viability issues.

Action Item: MDH will send R5 updates to the list of file review/EV action items, by October 31, 2014.

6. Next steps with open-ended violations and the latest quarterly ETT letter (Heather Shoven)

Heather mentioned that 2 systems currently have ETT scores >11 in Minnesota. Region 5 would be glad to take informal referrals for Lead consumer notice violations. Heather responded to specific questions related to the timing of initiating the discontinuance of the use of open ended violations: The NCWS with Arsenic violations used 4th quarter 2014, and will start with systems with nitrate violations on January 1, 2015. For CWS, this practice will start next year. For CWS radionuclides violations, R5 recommends that systems sample at least annually so that they can include the current level in their PN.

Action items: Region 5 requests the quarterly ETT updates by October 10, 2014. MDH will continue work to discontinue the use of open ended violations. Heather requests a copy of the most recent MDH compliance agreement with a PWS for a radionuclides MCL violation.

7. How will the MDH drinking water program be involved in the CDC grant for a statewide climate vulnerability assessment (if this is ripe for discussion—it may be too early in the process?)
Lih-in Rezanian is the contact person. Since this grant was just recently awarded, planning may not have started.

On a separate but related note, Janet also mentioned that the initial call with the City of Fairbault drinking water and wastewater staff on piloting use of the Climate Resilience Evaluation & Awareness (CREAT) tool was held in September, and the next call is scheduled for October 6, 2014.

Action Item: R5 will include this topic on the agenda for our next semi-annual call

8. Lab certification, including on-site visit plans (Rita Bair)

Action Items: Frank Lagunas will be reviewing the MDH Principal State Lab during the week of October 6, 2014. Based on input from MDH, R5 is targeting late April or early May 2015 for a review of the District labs, with the preference being earlier due to seasonal system start-up work in May. Region 5 will also follow-up with MDH regarding the possibility of issuing interim certification letters to district labs, such as Mankato, that are overdue for R5 certification reviews.

9. Pilot study for systems with gross alpha, sampling for Po-210 and Pb-210 (sampling complete this Oct.)—any preliminary results? (Karla Peterson)

Karla said that the sampling is about 75% complete, but results are not yet released from this source and entry point sampling. Miguel Del_Toral mentioned that he was interested in including Po-210 and Pb-210 in a future round under the Unregulated Contaminant Monitoring Rule.

Action item: MDH will share the gross alpha study results with R5 when complete.

10. National program measure draft state targets for FY15: R5 will be finalizing next week. MDH has not had trouble meeting targets in previous years. R5 wanted to verify that the draft targets are acceptable.

Action item: Janet requested that Jori Taylor re-send the draft targets to Randy; Randy will review on 9/29 and get back to R5. Update: This has been completed.

The next MDH/R5 semi-annual call will be scheduled during the week of April 13, 2015.

WDNR acknowledges the following disinvestments from its primary responsibility to implement and enforce National Primary Drinking Water Regulations (NPDWR) during the October 2014 to September 2016 timeframe.

1. Reporting Treatment Technique (TT) Violations for the Ground Water Rule (GWR) and Disinfectants/Disinfection By-Products (D/DBPR) Rules

40 CFR Part 142.15 requires the WDNR to report PWS violations to EPA every quarter. To report GWR and D/DBPR TT violations, WDNR must upgrade to the latest version of FedRep, version 3.4. As of July 2014, WDNR is in the process of upgrading its reporting capability to include FedRep 3.4. This disinvestment will likely be resolved before the start date for the WI EnPPA workplan. If so, it will be struck from this document.

2. Correcting Errors in State Code Analogs to the GWR, Stage 2 D/DBPR and the Lead and Copper Rule Short-Term Revisions (LCRSTR)

In 2011, WDNR submitted to EPA for review primacy applications for the GWR, Stage 2 D/DBPR, LCRSTR, Filter Backwash Recycling Rule, Long-Term 2 Enhanced Surface Water Treatment Rule, the Variances and Exemptions Rule and other minor rule revisions. EPA completed the review of the GWR, Stage 2 D/DBPR and LCRSTR and provided correspondence to WDNR identifying a number of areas where corrections and clarifications needed to be made.

WDNR reviewed the EPA comments for the WI GWR primacy application and agreed to make the changes at the next available opportunity for revising the rule. They also reviewed EPA comments for the WI LCRSTR primacy application and anticipated making the requested changes by April 2016. WDNR agrees to refer cases to EPA when their current lack of regulatory authority precludes them from enforcing specific provisions.

If other rule packages submitted to EPA for review also need correcting, they will be added here for tracking purposes.

3. Sanitary Surveys and Monitoring Schedules for Non-Community Water Systems (NCWS)

Under 40 CFR Part 141.21(a)(3)(i), a NCWS serving 1,000 persons or fewer must monitor each calendar quarter that the system provides water to the public, except that the WDNR may reduce this monitoring frequency, in writing, if a sanitary survey shows that the system is free of sanitary defects. The WDNR cannot reduce the monitoring frequency for these systems to less than once/year. 40 CFR Part 142.16(o)(2)(i) requires the State to conduct sanitary surveys at NCWSs every five years.

Approximately 80% of the 10,000-plus Wisconsin NCWSs are allowed by the WDNR to monitor once/year. NCWSs assigned annual monitoring schedules by WDNR should be given quarterly schedules when sanitary surveys are not conducted at proper intervals to show that the system is free of sanitary defects.

WDNR does not commit to assign and report NCWS monitoring violations that occur when annual requirements change to quarterly because a sanitary survey is not updated within 5 years. WDNR management tracks the status of sanitary survey completion every quarter. According to the April 2014 Sanitary Survey Completeness High Priority Query, sanitary surveys were not conducted at 23 of the 9,665 (0.2%) WI NCWSs by the WDNR in the 2009 - 2013 five-year period.

4. Consumer Confidence Report (CCR) Delivery

40 CFR Part 141.152(b) requires existing WI community water systems (CWS) to deliver CCRs to its customers by July 1st annually. 40 CFR Part 141.155(c) requires existing CWSs to mail a copy to the WDNR no later than July 1st, followed by a certification October 1st.

WDNR does not determine a reporting violation if it receives a copy of the CCR by July 10th or a copy of the certification by October 10th to allow for postal delivery. The USEPA Office of Ground Water and Drinking Water has indicated in *File Reviews* conducted in other states that WDNR should determine a violation if they do not receive the copy of the CCR by July 1 or a copy of the certification by October 1.

5. Radionuclide Reporting Violations Associated with Labs Holding Samples Past Compliance Period End Dates

40 CFR Part 141.31(a) requires the supplier of water to report to the State the results of any test measurement or analysis within the first ten days following the month in which the result is received, or the first ten days following the end of the required monitoring period as stipulated by the State, whichever of these is shortest.

WDNR requires compliance samples to be electronically reported to them from laboratories. Their database is programmed to generate a monitoring and reporting violation if a compliance sample result is not provided within the first ten days following the end of the required monitoring period.

When laboratories hold samples that were appropriately collected by the public water system within the compliance period but are not analyzed by the tenth day after the monitoring period ends, the WDNR accepts the results and negates the violation. If by the time the violation is in the appropriate reporting domain, the sample results have still not been received by WDNR, the monitoring and reporting violation is reported to EPA.

WDNR does not pursue enforcement with systems that collect samples on time but have reporting violations due to labs analyzing and reporting the result after the tenth day of the end of the compliance period. WDNR is working with specific laboratories to analyze radionuclide samples before the tenth day after the compliance monitoring period ends.

WI DNR DRINKING WATER AND GROUNDWATER PROGRAM
EnPPA WORKPLAN SUMMARY
October 1, 2014, through September 30, 2016

Contacts:

- WI DNR Public Water Supply Section Chief – Steve Elmore, [[HYPERLINK "mailto:Steve.Elmore@wisconsin.gov"](mailto:Steve.Elmore@wisconsin.gov)], (608) 264-9246
- U.S. EPA Region 5 (R5) WI State Program Manager – Joe Janczy, [[HYPERLINK "mailto:Janczy.Joseph@epa.gov"](mailto:Janczy.Joseph@epa.gov)], (608) 267-2763

Federal funding used: PWSS grant; Drinking Water State Revolving Fund (DWSRF) State program management, local assistance (for capacity development and wellhead protection), and small system technical assistance set-asides; and Clean Water Act Section 106 funds (ground water)

NOTE: Click on the links below to connect to a password protected website for summaries and more detailed information about WI implementation of the national primary drinking water regulations (NPDWRs) or any of the activities below.

For access, contact Joe Janczy.

1. [[HYPERLINK](https://epa.qpx.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70015BBF6.nsf/h_Toc/a4c0568ac09b2fc5852579c700161d51/?OpenDocument)

"https://epa.qpx.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70015BBF6.nsf/h_Toc/a4c0568ac09b2fc5852579c700161d51/?OpenDocument"] — WI DNR implements NPDWRs as required and prepares for implementation of the Revised Total Coliform Rule (RTCR). WI DNR will submit a final RTCR primacy revision package to R5 or an approvable extension request by February 13, 2015.

WI DNR applied for primacy for the Filter Backwash Recycling Rule (FBRR), Long-Term 2 Surface Water Treatment Rule, Ground Water Rule, Lead and Copper Rule Short-Term Revisions, Stage 2 Disinfectants/Disinfection By-Products Rule, Variances & Exemptions, and a number of minor NPDWR revisions.

Issues to resolve – Complete specific revisions to Wisconsin Administrative Code NR 809 that are identified during primacy application review and resubmit corrections to R5. R5 expects to complete its review of the entire application except for minor NPDWR revisions by February, 2015.

Performance measures – SDW-2.1.1, SDW-SP1.N11, SDW-SP2, and the status of primacy application corrections provided to R5.

2. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C700157D04.nsf/h_Toc/9ba56cee8247ce01852579c700167798/?OpenDocument"] – WI DNR maintains staff with the technical expertise needed to perform sanitary surveys. WI DNR ensures that sanitary surveys are conducted periodically that meet frequency requirements specified by rule. For TNs in contracted counties, WI DNR must manage and continue to evaluate the performance of sanitary surveys conducted by county health departments by reviewing the extent to which significant deficiencies are being identified, and whether frequency requirements are being met. R5 tracks state commitments to conduct sanitary surveys within the federally required intervals.

Performance measure – SDW-01a.

3. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70016055A.nsf/h_Toc/50a7a2f7c68b0990852579c7001671af/?OpenDocument"] — WI will:

- Maintain certification for the WI State Lab of Hygiene.
- Provide an adequate lab certification program for all regulated contaminants. This does not mean that WI must expand its laboratories to perform all the analyses. At a minimum, WI should have an adequate certification program to certify commercial labs within WI.
- Maintain a process for ensuring lab capacity to analyze all NPDWR parameters that are required to be sampled in WI.

4. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70015D26C.nsf/h_Toc/d247c4442932350b852579c700165c4b/?OpenDocument"]—WI DNR will evaluate compliance with all NPDWRs, and respond to violations by providing compliance assistance or enforcement as appropriate. Keep adequate records of pertinent state decisions. R5 continues to look to WI DNR to refer noncompliant PWSs and provide quarterly updates on priority systems identified through EPA's Enforcement Targeting Tool.

Performance measure – SDW-02.

5. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C700159C89.nsf/h_Toc/f773ba3fde21dac7852579c7001641c9/?OpenDocument"]— WI DNR will maintain a database which tracks public water systems inventory, actions and violations for all federal rules. Wisconsin will update to the most recent version of FedRep as new releases are made, conduct timely reporting on a quarterly basis to Region 5, and correct any reporting errors as soon as possible.

Performance measures – status of upgrade to FedRep 3.4, status of EMOR violation alert capability, status of reporting violations for newer NPDWRs, and % TCR and nitrate violations reported on-time.

6. Security – WI DNR is expected to adopt and implement an adequate plan for the provision of safe drinking water under emergency circumstances including, but not limited to, earthquakes, floods, hurricanes, and other natural disasters. R5 will review state emergency plans and consult with the state on implementation capabilities.

7. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C700158EB5.nsf/h_Toc/919b620e10f28d06852579c7001669e9/?OpenDocument"] — WI will establish and implement minimum professional standards for the operation and maintenance of public water systems to ensure that properly trained and certified professionals are overseeing the treatment and distribution of safe drinking water and to promote compliance. WI DNR will provide documentation to USEPA showing the ongoing implementation of the program to avoid 20% withholding of the DWSRF grant, due on September 30th annually. Annual reports must include operator certification reporting measures.

For operators of CWS and NTNCWS: WI will provide training and certification opportunities for new operators and for operators upgrading and renewing certification, including training to ensure sustainable water utilities and supplies.

Performance measure - % of required PWSs that have at least one certified operator.

8. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C700158751.nsf/h_Toc/b64a188dd87b1337852579c70016637d/?OpenDocument"] — WI DNR ensures that new and existing CWSs/NTNCWSs can demonstrate technical, managerial, and financial capacity to operate in compliance with federal and state regulations. By December 31st, WI DNR provides documentation annually to R5 showing ongoing implementation. WI DNR submits a report to the governor and provides a copy to EPA on the efficacy of the strategy and the progress made toward improving the capacity of water systems in the state by October 1, 2014.

Performance measure - # and % of CWS and NTNCWS that began operation in the least three years that incurred monitoring, operator certification, lead consumer notification, and/or public notification violations in the same three year period.

9. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70015F083.nsf/h_Toc/383d4a88413b802e852579c700167d85/?OpenDocument"] — WI DNR will support public water systems who initiate source water protection (SWP) activities. They will ensure new wells/intakes have SWP plans submitted during plan review. WI DNR will target specific PWSs for more intensive SWP activity, especially to keep nitrate and VOCs below MCLs. They will educate the public and coordinate with local, state and federal agencies about groundwater concerns and studies. WDNR will annually report the number of CWSs with SWP plans and the number of CWSs implementing SWP measures (electronically via SDWIS, if possible) as of June 30 by August 15.

Performance measures – SDW-SP4a and b

10. [HYPERLINK

"https://epaqp.rtp.epa.gov/QuickPlace/region5statepwssprograms/PageLibrary852579C70015F8CA.nsf/h_Toc/dd322cac7ab97ca852579c7001687eb/?OpenDocument"] — There are multiple

national measures in the national program manager guidance that support the “water safe to drink” subobjective 2.1.1 in EPA’s strategic plan. Besides the performance measures listed in this document, R5 also tracks several other measures, including those in the logic model reporting tool, regional shared goals, and regional high priority queries. The most recent data for Wisconsin for each of these measures are available via the “measures and indicators” link to the password protected website.

11. Resources and expertise —WI DNR maintains a baseline core of individuals with the technical expertise to carry out all mandatory components of the PWSS Program (including engineering plan and specification review and emergency response) . Contracts with third parties conducting mandatory components of the PWSS Program will make performance expectations clear, and will be measured and evaluated by the Department. WI DNR uses the *State Drinking Water Program Resource Needs Report & Recommendations* to develop and implement a plan to provide adequate funding to carry out all functions of the PWSS program. R5 to track progress related to state and EPA efforts to obtain additional resources necessary to enable WI DNR to resolve temporary program disinvestments expeditiously.

Table No. 1

Clearitas New Chemical Feed Sampling Requirements						
Analytes	Sample Location	Before Feeding Clearitas	Sampling Schedule			
			After Clearitas Addition			
			2 weeks	4 weeks	6 weeks	Past 6 Weeks
Perchlorate	Average Residence Time	x		x		TBD
Chlorite	Average Residence Time	x		x		TBD
*TTHM / HAA5	Maximum Residence Time	x		x		TBD
Total Organic Compounds (TOC)	Maximum Residence Time	x	x	x		TBD
*VOC	Maximum Residence Time			x		TBD
*Arsenic	Maximum Residence Time	x	x	x	x	TBD
Iron	Maximum Residence Time	x	x	x	x	TBD
Manganese	Maximum Residence Time	x	x	x	x	TBD
Adenosine Triphosphate (ATP)	Maximum Residence Time	x	x	x	x	TBD
***Gross Alpha Emitters	Maximum Residence Time	x	x	x	x	TBD
**Chlorine Residual	-	-	-	-	-	TBD
*Lead and Copper	-	-	-	-	-	TBD

* The Minnesota Department of Health (MDH) is required by the Environmental Protection Agency to evaluate proposed new treatments or treatment changes to avoid the unintended consequence that may result from the change. Therefore, if deemed necessary, MDH will adjust a water system's compliance monitoring schedule and sample kits for additional monitoring to occur sooner. Examples of compliance schedules that could be modified are disinfection by-products, lead and copper, and arsenic.

** Chlorine residual shall be monitored daily. Sampling location(s) should be representative of the distribution system. The system shall monitor for free chlorine or total chlorine based on normal system operation.

*** Gross Alpha Emitter testing will only be required for systems that have received a notice of exceedance for radium or gross alpha emitters within the last three years or systems that have a current notice of violation concerning radium or gross alpha emitters.

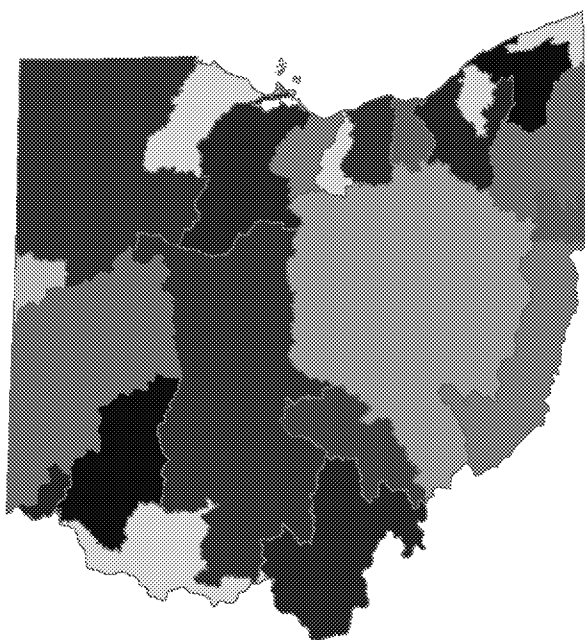
TBD - Once data is received and reviewed, it will be determined if additional monitoring is required.

2013 — 2015



OEPA comments

Performance Partnership Agreement



Ohio Environmental Protection Agency
U.S. Environmental Protection Agency

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Authorizing Signatures

The Ohio Environmental Protection Agency and U. S. Environmental Protection Agency, Region 5 2013-2015 Environmental Performance Partnership Agreement is approved on the date of the last signature received.

For the State of Ohio:

Scott J. Nally, Director
Ohio Environmental Protection Agency

Date

For the U.S. Environmental Protection Agency, Region 5:

Susan Hedman, Regional Administrator
U.S. Environmental Protection Agency, Region 5

Date

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Environmental Performance Partnership Agreement (PPA)
Between
Ohio Environmental Protection Agency
And
U.S. Environmental Protection Agency Region 5
October 1, 2013 – September 30, 2015

Purpose of the PPA

The Ohio Environmental Protection Agency (Ohio EPA) and the United States Environmental Protection Agency (USEPA), Region 5 have entered into an Environmental Performance Partnership Agreement (PPA). This biennial agreement identifies program specific priorities and program specific joint priorities between the two (2) agencies. The purpose of this agreement is:

1. To determine a specific list of program elements for primary focus;
2. To develop a general plan of action for each element listed;
3. To describe the roles and responsibilities of each agency in addressing each element;
4. To set the term of this agreement from October 1, 2013, to September 30, 2015.

The PPA is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of the USEPA and Environmental Council of States (ECOS). The PPA, formed under NEPPS, is designed to provide states and USEPA with flexibility in achieving environmental results and to enhance accountability in achieving environmental progress. The Performance Partnership Grant (PPG) is the Federal grant used to fund many of the PPA activities.

Scope of the PPA

The PPA, including the general work plans, primarily focuses on activities that are funded by PPG dollars and matched by state dollars. Where there is a conflict between work plans that were submitted with the categorical grants and the work plans included in this PPA, Ohio will implement and report on the work plans associated with the categorical grant awards. The scope of the PPA by no means fully encompasses the entire work load of each agency, but is intended to compliment Ohio EPA's strategies and USEPA's regional work plan. It is designed to be a concise strategic document to be used to focus limited resources on specific outcomes. In addition to the general work plans described within the PPA, Ohio EPA has more detailed work plans to be used internally to address and complete the elements committed to within this agreement.

Grants Covered Under the PPA

Ohio EPA in keeping with recent national trends is including the use of a Performance Partnership Grant (PPG) structure as part of its Performance Partnership Agreement (PPA). The PPG structure will provide Ohio EPA more flexibility in the use of Federal financial resources to address environmental issues using a multifaceted approach. It will also reduce the administrative burden of having numerous specific categorical grants tied to work plans. USEPA's application review, grant award and distribution of PPG funding is based on Ohio EPA's PPG application, activity and reporting for those categorical grants that have monetary awards included in the PPG. The PPG allows for the continuance of key resource investments that have already been determined to be priority activities. The proposed general categories are as follows:

1. Clean Water Act (CWA) Section 106-activities under Catalog of Federal Domestic Assistance (CFDA) 66.419;
2. Public Water System Supervision (PWSS) annual formula grant under CFDA 66.432;
3. Clean Air Act (CAA) Section 105 activities under CFDA 66.001;
4. Resource Conservation and Recovery Act Subtitle C (Hazardous Waste Management State Program Support) CFDA 66.801; and,

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5. Underground Injection Control (UIC) activities under CFDA 66.433.
6. CERCLA 128 (a) Brownfields, under CFDA 66.817

Non-PPG grant activity covered in the PPA includes components from the following sources:

1. Operator Training 104(g) activities under CFDA 66.471;
2. Title V permitting and compliance activities under the Clean Air Act Amendments.
3. Diesel Emissions Reduction Act, CFDA 66.040;
4. American Recovery and Reinvestment Act, CFDA 66.040;
5. Resource Conservation Recovery Act Non-Hazardous Waste.
6. Auto Body Environmental Project State Innovation Grant (SIG).

Fiscal Responsibility

With the receipt and use, of Federal funds towards an endeavor, comes the responsibility of the recipient to track the success of the program and to show results. To achieve the goals of transparent grants management, Ohio EPA has incorporated standard operating procedures (SOPs), a grants management policy and a grants data tracking system to track the receipt, use and closeout of all grants funding the Agency receives. This approach will provide for easy fiscal information sharing and interaction between the awarding agencies and Ohio EPA.

Development and Elements of the PPA

The development process:

1. **Initial List:** An initial list of PPA priorities began with Ohio EPA team members discussing and listing the past, present and future goals of each program area.
2. **Draft Priority List:** The draft priority list was developed from the initial list, focusing on those priorities that were funded primarily by USEPA grants.
3. **Draft PPA:** The draft PPA was developed from the priority list and presented to USEPA R5.
4. **Program Work Group Discussion:** Program groups from both agencies met jointly to discuss work plans, goals and PPA priorities.
5. **Final PPA:** The final PPA was a result of shared discussions and mutual agreement between the agencies.

The elements:

1. The elements of the PPA provide a framework for accountabilities by clearly identifying Ohio EPA and USEPA actions, roles and specific program area contacts.
2. The elements of the PPA require a joint assessment. The joint assessment will be an annual discussion between Ohio EPA and USEPA at the end of year one. The joint assessment will highlight successful program achievements; identify areas that need improvement and/or additional resources; provide a mechanism for discussions and adjustments in specific program directions or approaches.
3. The reporting elements of the PPA will be interpreted into a formal closure report.
4. The PPA is viewed as a "living document" that is flexible and can be modified, upon agreement, to reflect changes in Ohio EPA and USEPA needs.

Roles of Ohio EPA and USEPA

This agreement defines the roles that both Ohio EPA and USEPA R5 will undertake to meet the program commitments. Ohio EPA and USEPA recognize the primary role of Ohio EPA in administering Federal environmental programs delegated to the state under Federal law and in carrying out State programs prescribed under State law. USEPA R5's role in assisting Ohio EPA includes: addressing multi-state or national issues directly; implementing programs not delegated to Ohio EPA; and working on targeted sectors, watersheds or air regions in conjunction with Ohio EPA. Several activities are common to both Ohio EPA and USEPA R5, such as permitting, compliance, enforcement, monitoring and outreach.

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Enforcement and Compliance Assurance

Program specific compliance and enforcement activities accomplished during the term of this PPA are included in the detailed branch level priorities and the State program specific plans. The following tenets serve as the foundation for Ohio EPA-USEPA relationships with respect to compliance and enforcement activities:

- Utilize the most effective application of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement and criminal prosecution).
- Utilize joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate “surprises” and institutionalize communication.
- Manage for internal and/or external environmental results.

In addition to providing guidance to Ohio EPA, USEPA has a continuing role in environmental protection in the State of Ohio. USEPA carries out its responsibilities in a variety of ways, including:

- Acting as an environmental steward, ensuring that national standards for the protection of human health and environment are implemented, monitored and enforced consistently in all states.
- Assisting in conducting inspections and enforcement actions.
- Providing compliance and technical assistance to the State and its regulated entities.
- Providing science based information to the State and its regulated entities.

Under this PPA agreement, Ohio EPA and USEPA retain their individual authorities and responsibilities to conduct enforcement and compliance assistance. Enforcement will be accomplished in the spirit of cooperation and trust. Specific Federal enforcement and compliance assistance responsibilities include, but are not limited to, the following:

- Working on National and Regional Priorities.
- Ensuring a level playing field and national consistency across State boundaries.
- Addressing interstate and international pollution (e.g., watersheds and ambient air).
- Addressing criminal violations.
- Conducting enforcement to assure compliance with Federal consent decrees, consent agreements, Federal interagency agreements, judgments and orders.
- Conducting State reviews in accordance with the National State Review Framework.

USEPA R5 has recently reviewed Ohio EPA's Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA) enforcement programs under the State Review Framework. The final State Review Framework (SRF) document was issued on August 6, 2013. The final report contains several recommended actions to be taken by Ohio EPA. Ohio EPA will consider each of the recommendations and will implement those specific items that the state has agreed to in the state response to the SRF findings.

Quality Management Plan

The Ohio EPA Quality Management Plan (QMP) reflects the Ohio EPA's organizational structure. The QMP addresses those Quality Assurance (QA) issues that are organized, documented, planned, implemented, assessed, or improved in the same manner Agency-wide. It documents Ohio EPA's quality program for environmental data operations which is common to all of the divisions.

Ohio EPA has recently updated the Agency-wide QMP and was approved by Region 5 on February 28, 2013. The QMP will be effective through February 27, 2018. This document covers overall quality

processes as well as documents the division-specific QA processes and serves as an umbrella document for the Agency.

Ohio EPA and Region 5 have agreed that Ohio EPA will continue to approve project-level Quality Assurance Project Plans (QAPPs) under this performance partnership agreement except for Superfund pre-remedial and remedial programs and the Superfund removal program. Ohio EPA will submit program-level QAPPs to Region 5's Land and Chemicals Division for the Leaking Underground Storage Tank (LUST) and Resource Conservation and Recovery Act (RCRA) Subtitle C inspection programs. U.S. EPA competitive assistance agreements under, but not limited to, the Great Lakes Restoration Initiative (GLRI) and Exchange Network Programs shall require the submission of project-level quality documentation for U.S. EPA review and approval as specified in the assistance agreement terms and conditions.

Region 5 is required to assess the implementation of the approved quality systems as well as extramural agreements which U.S. EPA provides financial assistance. Beginning with the approval of the revised Ohio EPA QMP, Ohio EPA shall submit complete signed electronic (i.e. pdf) copies of all self-approved QAPPs to Region 5 on a quarterly basis to facilitate these assessments. In addition, Ohio EPA will submit an annual letter (by January 31 of each year beginning in 2014) to Region 5 each year which:

- identifies any minor revisions needed and/or incorporated into the QMP during the preceding year;
- confirms that the QMP approved by Region 5 is still in effect; and
- lists all QAPPs, by environmental program, which were self-approved by Ohio EPA during the preceding year.

Reporting

Ohio EPA will continue to report to USEPA the necessary information as required and agreed upon, including required timelines. It is recognized that reporting requirements beyond those specifically mentioned in this agreement do exist. Those requirements often relate to populating national databases or to tracking performance against priority activities identified in the internal Ohio EPA work plans. These requirements may be embodied in a variety of existing agreements and are not reiterated in this agreement. Ohio EPA will reference its Web site and other existing reports as supporting documentation for the PPA and the PPG. Both Ohio EPA and USEPA will report through the Joint Assessment Process.

Reporting through the Joint Environmental Conditions and the Final Conditions Report the following status tools for each performance measure are used:

1. Complete. The performance measure elements have been completed.
2. In Progress. The performance measure is progressing towards a specific goal or objective.
3. Ongoing. The performance measure is progressing and will be a continuing measure in the next PPA cycle.
4. Incomplete. The performance measure has not been adequately addressed.
5. Project Withdrawn. The performance measure has been withdrawn due to the stated reasons or fiscal constraints.

For States that administer authorized programs under Title 40 and receive or wish to receive reports or documents electronically, under those authorized programs, as it pertains to non-Title V sources, must ensure the designated program system meet and comply with the Cross-Media Electronic Reporting Regulation (CROMERR), Part 3, Title 40 effective 01/11/06. In accordance with the CROMERR regulation, before the implementation the designated State program system must be approved by USEPA.

If Ohio EPA is presented with a funding shortfall for any performance measure funded by Federal dollars agreed upon in the Performance Partnership Agreement (PPA), or negotiated in the PPA, both parties reserve the right to renegotiate and discuss removal of performance measures from the PPA.

Joint Priorities and Action Items

Joint priorities represent a subset of environmental program responsibilities that Ohio EPA and USEPA R5 agree represent investment priorities for the PPA period for various reasons, for example:

- 1. The program is an important, newly developing initiative that requires the attention of both Ohio EPA and USEPA R5 to adequately develop.
- 2. The program area is at risk of inadequately functioning, and the deficiency represents a significant vulnerability to the integrity of the environmental protection program.
- 3. The program represents a long-term strategic investment opportunity.

Ohio EPA and USEPA Region 5 have identified the following Joint Priorities:

1. Water and Wastewater Quality Program Priorities

a. Establish and implement a comprehensive nutrient reduction strategy

- i. USEPA will work with and support OEPA in rulemaking to adopt the Trophic Index Criterion (TIC) into Ohio's water quality standards.
- ii. USEPA and OEPA will cooperate to implement NPDES permit procedures to assure that nutrient limits compliant with narrative criteria and DO criteria are incorporated into permits. In addition, the Agencies will cooperate to develop mutually agreeable implementation procedures for the TIC.

and:

Implementation of the strategy should include a focus on Lake Erie, particularly the Western Lake Erie Basin. Actions should include, but not limited to:

- Continuing work on Concentrated Animal Feeding Operations.
- Regulation of nutrient and thermal discharges to protect and improve water quality, focusing on direct discharges and watersheds in the Western Lake Erie Basin at the outset,
- Support for binational Annex 4 activities standards¹ ~~OEPA remove~~

b. Municipal wastewater initiatives including CSO communities and LTCP implementation, as well as SSO communities

Focus on Combined Sewer Overflow Long Term Control Plans; Sanitary Sewer Overflows and Municipal Separate Storm Sewer Systems. Ongoing work statewide will continue, but future work will take focus on the Western Lake Erie Basin.

2. Land Quality Program Priorities

- Upland Use of Dredge Materials
- Oil and Gas Waste
- Landfill Odors

¹ Great Lakes Water Quality Agreement, Annex 4- Nutrients

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Ohio EPA and USEPA Region 5 will identify action items that can be worked on during the term of this agreement.

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Joint Planning and Evaluation Process

Ohio EPA and USEPA R5 both agree that it is important to clearly articulate how all the components of the performance partnership are evaluated. In order to evaluate this agreement, both agencies will participate in a joint planning and evaluation process. The process timeline is as follows:

Actions

Senior Management Planning Meeting (2013-2015 PPA)
Ohio EPA/USEPA Program-to-Program Meetings (2013-2015 PPA)
Workplan Negotiation (2013-2015 PPA)
Draft PPA Finalized (2013-2015 PPA)
2013-2015 PPA Begins
Joint Assessment Process Meeting
Joint Assessment Process Conditions Report
USEPA R5's Evaluation of Report
2013-2015 PPA Final Environmental Conditions Report
Senior Management Planning Meeting (2015-2017 PPA)
Ohio EPA/USEPA Program-to-Program Meetings (2015-2017 PPA)
Workplan Negotiation (2015-2017 PPA)
Draft PPA Finalized (2015-2017 PPA)
2015-2017 PPA Begins
Joint Assessment Process Meeting
Joint Assessment Process Conditions Report
USEPA R5's Evaluation of Report
2013-2015 PPA Final Environmental Conditions Report

Deadlines

June 2013
August 2013
August 2013
September 2013
October 1, 2013
July 2014
December 30, 2014
February 2015
December 2015
April 2015
April/May 2015
April 2015
June 2015
October 1, 2015
July 2016
December 30, 2016
February 2017
December 2017

The joint assessment process for this agreement will:

- Allow for a check in at the mid-term Joint Assessment Process Meeting to determine if revisions or additions to the document are necessary to reflect changes in Ohio EPA and USEPA needs;
- Provide general discussion, measurements of outcomes and analyze the environmental and programmatic results of each element;
- Identify emerging issues, environmental trends and strategies for improvement;
- Provide flexibility in both form and substance, as warranted by program performance;
- Seek to eliminate duplicative or unnecessary efforts and reporting;
- Respond with appropriate solutions, including redirecting goals and resources;
- Encourage Ohio EPA to find innovative program implementation alternatives, as long as the desired result is able to be measured and achieved.

The success of each outcome of this agreement relies on clear, constructive communication and the commitment of Ohio EPA and USEPA R5 to work together to implement Ohio EPA's **Plan-Do-Check-Improve** model (**now Quality Services through Partnership model**), to solve problems and improve the programs. If any differences exist on specific issues or problems, Ohio EPA and USEPA R5 should move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process in order to gain resolution.

Mutual Accountability

The approach from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. Ohio EPA and USEPA R5 will jointly assess each program element and determine the appropriate course change, as needed. USEPA R5 will review and act on new regulations in program areas that impact Ohio's authorization or where Federal statute or regulation requires USEPA review and approval of State actions (e.g., water quality standards).

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Dispute Resolution Process

Ohio EPA and USEPA R5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise as we execute this agreement. We will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure. For the purpose of this agreement, the following definitions will apply:

Dispute: Any disagreement over an issue that prevents a matter from going forward.

Resolution Process: A process whereby the parties move from disagreement to agreement over an issue.

Informal Dispute Resolution Guiding Principles

- Recognize conflict as a normal part of the State/Federal relationship;
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve;
- Approach the conflict as an opportunity to improve joint efforts;
- Aim for resolution at the staff level, while keeping management informed;
- Disclose underlying assumptions, frames of reference and other driving forces;
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties;
- Document discussions to minimize future misunderstandings;
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

Formal Conflict Resolution

There are several formalized programmatic conflict resolution procedures that may need to be invoked if the informal route has failed to resolve all issues. Examples include:

- 40 CFR 31.70 (outlines the formal grant dispute procedures); and,
- National Pollutant Discharge Elimination System (NPDES) conflict resolution procedure.

For matters involving this agreement, the following procedures will be utilized:

1. Principle: Disputes should be resolved at the front line or staff level, when feasible.
2. Time frame: Disputes should be resolved as quickly as possible but within two (2) weeks of the issue arising at the staff level. If unresolved at the end of two (2) weeks, the issue should be raised to the next level of each agency.
3. Escalation: When there is no resolution of the issue and the two (2) weeks have passed, there should be comparable escalation in each agency, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each agency, until resolution is obtained.

Environmental Conditions in Ohio

To put the elements of this agreement into context, it is useful to review the progress achieved in each program area in Ohio EPA. A summary of Ohio's environmental conditions are as follows and are used as the basic elements listed in each area work plan:

Division of Air Pollution Control

The Division of Air Pollution Control ensures compliance with the federal Clean Air Act and the Emergency Planning and Community Right-to-Know Act as part of its mission to attain and maintain the air quality at a level that will protect the environment for the benefit of all. The division reviews, issues and enforces permits for installation and operation of sources of air pollution and operates an extensive ambient air monitoring network. The division also oversees an automobile emission testing program, to minimize

emissions from mobile sources. There are 267 air monitors across the state of Ohio. As of September 1, 2013, all counties are designated in attainment for NO₂ and CO. Nineteen counties are designated nonattainment for PM_{2.5}, five counties are designated nonattainment for SO₂, nineteen counties are designated nonattainment for the 2008 ozone standard and three partial counties are designated nonattainment for lead. Ozone season begins in April and runs thru October, all counties are considered in attainment for the 1997 Ozone standard.

Division of Drinking and Ground Waters

The mission of the Division of Drinking and Ground Waters' (DDAGW) is to protect human health and the environment by characterizing and protecting ground water quality and ensuring Ohio's public water systems provide adequate supplies of safe drinking water. The Division pursues this mission through the program areas as follows:

Public Drinking Water Supply Supervision: DDAGW is responsible for oversight of Ohio's public water systems to ensure they comply with all federal and State drinking water laws and provide adequate supplies of safe drinking water.

There are approximately 4,900 public water systems in Ohio including about 1,250 community public water systems serving cities, villages, rural communities, and mobile home parks, 750 non-transient non-community systems such as schools, factories, and 2,900 transient non-community systems such as restaurants, campgrounds, and churches. Ninety-eight percent of Ohio's public water systems maintained compliance with all drinking water requirements in SFY 2011. More non-community water systems struggle to maintain compliance, particularly transient non-community. Statewide, about 93% of these systems meet water quality standards, but only about 83% conduct all required monitoring.

A few of the specific activities completed as part of this program include: conducting over 2,000 inspections of public water systems annually; reviewing and processing approximately 100,000 water quality sample reports every year to ensure Ohio's public water systems are providing water that meets chemical and bacteriological standards; reviewing and approving approximately 750 engineering plans for design of new public water systems and upgrades to existing systems; providing technical assistance to thousands of public water systems to maintain compliance with requirements; issuing approximately 50 enforcement actions to return recalcitrant water systems to compliance; ~~and avoid the need for USEPA to over-ride in order to return these systems to compliance~~ and responding to emergency situations affecting public water systems.

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Ground Water and Drinking Water Protection: DDAGW collects and analyzes water quality data, conducts studies to characterize ground water quality, and identifies areas of known ground water contamination. Additional effort is made to assess and identify impacted and threatened public water systems. A water quality data management system and other available technologies, including Geographic Information System technology, are used to analyze and summarize information on a statewide, regional, and site-specific basis. DDAGW collaborates with the Clean Water Act Program to support the evaluation of the public water supply beneficial use as part of the Integrated Water Quality Report and related water quality programs.

Underground Injection Control Program: Ohio EPA has been delegated primary enforcement authority for the regulation of Class I, Class IV, and Class V underground injection control (UIC) wells. There are 10 Class I wells in Ohio used to inject hazardous and non-hazardous fluids into geologic formations thousands of feet below ground. There are over 32,000 Class V wells (including 13 permitted industrial injection wells and over 6000 remediation wells) used to place a variety of non-hazardous fluids typically just below

the ground surface. All Class IV wells are prohibited as they inject hazardous materials into or above an underground source of drinking water.

Division of Surface Water

Ohio is a water rich state with more than 23,000 miles of named and designated rivers and streams, including 24 stream and river designated as State Wild, Scenic, or Recreational Rivers (800+ cumulative miles). Ohio also includes a 451 mile border on the Ohio River, 447 publicly owned lakes, ponds, and reservoirs > 5 acres, and 290 miles of Lake Erie mainland and islands shoreline. It is estimated that there are about 500,000 acres of wetlands in Ohio. Ohio's ground water resources are abundant and include three major aquifer types.

The Division of Surface Water is responsible for restoring and maintaining the quality of Ohio's rivers, streams, lakes and wetlands. The goal of Ohio's surface water program, restoration and maintenance of Ohio's water resources, reflects the national water quality objective as contained in the Federal Clean Water Act (CWA). The Division of Surface Water utilizes many tools in working to achieve its goal:

Regulation

- National Pollutant Discharge Elimination System (NPDES) permits are issued to municipal and industrial wastewater and stormwater dischargers. Ohio has over 4,000 regulated facilities.
- Permits-to-Install (PTI) are issued for construction of new or expanded wastewater facilities and sewers and for the disposal of sludge from wastewater treatment facilities. Over 2,000 PTIs are issued annually.
- Indirect Discharge Permits are issued to discharges of industrial wastewater into public sewer systems.
- Section 401 Water Quality Certifications are issued for the discharge of dredge and fill material to waters of the state.
- Testing is conducted and certification is awarded to operators of water and wastewater treatment facilities to ensure baseline proficiency in various aspects of drinking water treatment and distribution and wastewater collection and treatment.

Technical Assistance

- Operator assistance is provided to small community wastewater treatment plants experiencing compliance problems.
- Pass-through funds for nonpoint source demonstration projects are provided.

Partnering

- The pretreatment program is a partnership among USEPA, Ohio EPA and local communities for controlling the discharge of industrial wastewater into public sewer systems.
- Lake Erie Remedial Action Plans (RAPs), which promote community based decision making for the correction of water quality concerns, are coordinated by the division.
- Programmatic technical support is provided to the Division of Drinking and Ground Water and Division of Emergency and Remedial Response.
- The division works together with the Ohio Department of Natural Resources to implement the nonpoint source and wetlands programs.

Measuring

- Biological and chemical water quality monitoring is conducted to assess quality of Ohio's lakes and streams.
- Sampling of wastewater discharges is performed to monitor compliance with permit limits.
- Inspections at regulated facilities are performed to ensure compliance with environmental regulations.

Planning

- Water quality standards for Ohio are developed.
- The Division has begun the process of shifting away from a traditional programmatic way of thinking (enforcement, permits, nonpoint planning, etc.) toward an ecosystem based approach. This approach, focusing on watersheds, will facilitate the creation of partnerships with local government and the general public resulting in community-based environmental management.
- The Lake Erie Lakewide Area Management Plan (LaMP), which incorporates an ecosystem approach to the protection of Lake Erie and considerable public involvement, is coordinated by the division.

Division of Environmental Response and Revitalization

Ohio's response program is the comprehensive cleanup program in the Division of Environmental Response and Revitalization (DERR) at Ohio EPA. Ohio's response program includes the traditional Remedial Response program (RR) that requires investigations and cleanup of Ohio's hazardous waste sites created prior to 1980. RR includes oversight activities in support of USEPA at CERCLA sites and oversight of state-only cleanup sites. The response program also includes the Voluntary Action program (VAP) that allows volunteers to remediate sites contaminated with hazardous substances and petroleum to health-based standards. Volunteers may use the so called "classic" track VAP and receive a covenant-not-to-sue from the state or use the "MOA" track VAP and also receive assurance that the federal government will not ask for more cleanup. Many, but not all, of the VAP cleanups are brownfield sites. The response program also includes an Emergency Response program (ER) that responds to and cleans up spills and sudden releases of hazardous materials and petroleum. The final component of the response program is the Site Assistance and Brownfield Revitalization program (SABR) that assesses the sites in Ohio's database to determine if a cleanup is needed and evaluates the site for purposes of queuing the site toward the best-fitting cleanup program. SABR also provides community revitalization support (CRS) by helping local governments find opportunities for funding brownfields, by providing free technical assistance and site assessment work, and by determining the best cleanup program for their contaminated sites.

Collectively, these programs work on sites contaminated, or perceived to be contaminated, with hazardous substances, petroleum or hazardous materials. Ohio's database² of sites currently includes **2,806** sites. Of those **2,806** sites, approximately **1,390** have been or are currently in the RR program, **419** have received covenants not to sue (CNS) from the VAP, approximately **362** sites are in some phase of VAP assessment or cleanup receiving Ohio EPA technical assistance, and approximately **404** have or are pursuing Clean Ohio Fund money for assessment or cleanup. Ohio EPA has done some work at hundreds of other sites, but

²This database includes any site for which Ohio EPA has some information. The sites may or may not be contaminated. The existing database does not represent the universe of contaminated sites in Ohio, certainly more exist.

the work, including a cleanup if necessary, has not been completed and is not currently underway. Finally, **30,068** suspected or confirmed releases of petroleum from regulated underground storage tanks have occurred. Of those releases, **27,492** have been assessed and cleaned up, leaving **2,576** potential UST brownfields; however, jurisdiction for these sites is under the State Fire Marshal located in Ohio's Department of Commerce. The number of these sites that are brownfields fluctuates as economic opportunities for reuse and redevelopment change. Essentially, any one of these sites could hold the promise of reuse and generating economic growth for a community.

Ohio EPA has extensive experience using grants to develop cleanup capacity and build programs. Ohio EPA has used Superfund site assessment, CORE and support funding to establish the management expertise, technical expertise, data management capability, and program guidance and policy necessary for implementing state and federal cleanup programs in Ohio. The core RR program addresses sites that are driven into cleanup because of threats to human health or the environment. Over time, Ohio EPA has also used federal brownfield grants to establish similar kinds of tools and expertise to address sites that are driven into cleanup because of economic opportunity. USEPA brownfield grants enabled Ohio EPA to add the VAP MOA track, provide free technical assistance and site assessment work to pilot communities and develop VAP program guidance and procedures.

The funding requested in this proposal builds on Ohio EPA's response program. The grant funds will pay for either establishing or enhancing program components. The activities in this proposal fall largely into two main categories: 1) building capacity to address more sites with the existing two core program areas, or 2) enhancing public access to existing information about Ohio's contaminated sites including brownfields.

Division of Materials and Waste Management

The Division of Materials and Waste Management (DMWM) ensures proper management of 1.4 tons of hazardous waste stored, treated or disposed in Ohio and 33 million tons of solid waste and 1.3 million tons of hazardous waste generated in Ohio. DMWM regulates waste at 55 operating solid waste landfills and 60 solid waste transfer facilities; 427 composting facilities; and 56 construction and demolition debris (C&DD) landfills. DMWM also regulates 33 scrap tire facilities and 62 scrap tire transporters. DMWM also regulates the management and treatment of infectious waste from more than 3,490 generators, 83 transporters and 106 treatment facilities. Regulated hazardous waste facilities include 44 permitted hazardous waste treatment, storage and disposal facilities; approximately 1,100 large quantity generators; 9,700 small quantity generators; approximately 7,580 conditionally exempt small quantity generators; and 368 used oil handlers. More than 640 facilities are required to conduct some type of corrective action to clean up a portion of their property, with DMWM oversight. DMWM's Cessation of Regulated Operations (CRO) program makes sure that hazardous substances are responsibly handled and removed when businesses close or are abandoned. DMWM's CLOSER (Closed Landfills and Orphaned Site Evaluation and Rating) program addresses problems (i.e., through erosion control, cap placement or repair, off-site landfill gas migration monitoring, leachate controls) at abandoned solid waste and C&DD landfills. Ohio EPA continues to receive national recognition of its CLOSER Program approach and successful achievements. DMWM's scrap tire abatement program uses fees collected from the sale of tires to clean up scrap tire sites. The funds are also used to pay for disposal costs to help local governments throughout the state who provide the manpower to collect scrap tires dumped along public road right-of-ways and take them to a central collection staging point. Ohio EPA also transfers up to \$500,000 to the Ohio Department of Natural Resources (ODNR), who in turn issue grants for scrap tire amnesty collection events and targeted scrap tire cleanup events.

More than 90 percent of the scrap tires collected in Ohio continue to be recycled and reused in numerous ways, primarily as aggregate substitute for civil engineering projects and for the production of many rubber

products. ODNR also issues grants private and public sector parties in developing new markets and demonstrating new uses for scrap tire products through its Market Development Grant Program. The division shares solid waste and C&DD compliance monitoring and enforcement authority with 74 local health districts that can demonstrate an adequate program. Finally, the division is responsible for preparing the State's Solid Waste Management Plan that establishes goals for waste reduction, recycling and reuse, and overseeing local solid waste districts that develop and implement local plans.

Outlook

Ohio, in partnership with USEPA and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges. This agreement, addressing near-term focus points and program specific elements and corresponding work plans, is designed to outline those commitments. The outcomes are intended to improve environmental conditions in the State of Ohio and provide a mechanism to track the improvement.

Division of Air Pollution Control

Strategic Goal 1— Taking Action on Climate Change and Improving Air Quality

Ohio EPA Contact: Bob Hodanbosi	USEPA Contact: George Czerniak	Due Date: See Below
USEPA Role: Provide technical and programmatic support.		Status:
Funding Source FFY 2014-2015: Section 105 Grant/PPG, MCDI separate grant		

Objective 1.1: Address Climate Change. Reduce the threats posed by climate change by reducing greenhouse gas emissions and taking actions that help communities and ecosystems become more resilient to the effects of climate change.

USEPA 2011- 2015 Strategic Measures (Outcomes) - Address Climate Change

- ☐ By 2015, the light-duty vehicle greenhouse gas rule will achieve reductions of 99 MMTCO₂Eq.
- ☐ By 2015, additional programs from across USEPA will promote practices to help Americans save energy and conserve resources, leading to expected greenhouse gas emissions reductions of 740.1 MMTCO₂Eq. from a baseline without adoption of efficient practices. This reduction compares to 500.4 MMTCO₂Eq. reduced in 2008.
- ☐ By 2015, USEPA will integrate climate change science trend and scenario information into five major scientific models and/or decision-support tools used in implementing Agency environmental management programs to further USEPA's mission, consistent with existing authorities.
- ☐ By 2015, USEPA will account for climate change by integrating climate change science trend and scenario information into five rule-making processes to further USEPA's mission, consistent with existing authorities.
- ☐ By 2015, USEPA will build resilience to climate change by integrating considerations of climate change impacts and adaptive measures into five major grant, loan, contract, or technical assistance programs to further USEPA's mission, consistent with existing authorities.

Air Toxics – Toxics and Global Atmosphere State Commitments

- ☐ Ohio EPA will continue to participate in activities such as education/outreach on stratospheric ozone, Title VI. Activities will also include discussions with USEPA on climate change, possible collaboration on energy efficiency programs, participation in conference calls and meeting, etc. (Due Date: Ongoing through September 30, 2015)

Objective 1.2: Improve Air Quality. Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.

USEPA 2011 – 2015 Strategic Measures (Outcomes) - Reduce Criteria Pollutants and Regional Haze

- ☐ By 2015, the population-weighted average concentrations of ozone (smog) in all monitored counties will decrease to 0.073 ppm compared to the average of 0.078 ppm in 2009.
- ☐ By 2015, the population-weighted average concentrations of inhalable fine particles in all monitored counties will decrease to 10.5 µg/m³ compared to the average of 11.7 µg/m³ in 2009.
- ☐ By 2015, reduce emissions of nitrogen oxides (NO_x) to 14.7 million tons per year compared to the 2009 level of 19.4 million tons emitted.

Division of Air Pollution Control

- ☐ By 2015, reduce emissions of sulfur dioxide (SO₂) to 7.4 million tons per year compared to the 2009 level of 13.8 million tons emitted
- ☐ By 2015, reduce emissions of direct particulate matter (PM) to 3.9 million tons per year compared to the 2009 level of 4.2 million tons emitted.

Federal Vehicle and Fuels Standards and Certification – Control Strategies State Commitments

- ☐ Ohio EPA will continue to operate a vehicle I/M program for the Cleveland/Akron area using ASM for pre-1996 vehicles and OBD II for 1996 and newer vehicles until July 1, 2015. Ohio EPA will implement program changes as required by the Ohio legislature. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to conduct anti-tampering inspections. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to review general conformity determinations and provide comments and/or concurrence. Ohio EPA will continue to review and provide input to metropolitan planning organizations on conformity analyses and provide letters of comment to USEPA. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to develop and submit control strategy SIPs and maintenance plans with motor vehicle emission budgets based on MOVES. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will work on deletion of old state conformity MOUs and replacement conformity consultation MOUs, so that states can use the flexibility and be consistent with federal transportation conformity rules. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to implement mobile source programs as required by the Clean Air Act. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to support the Midwest Clean Diesel Initiative including the management of state clean diesel grants, active involvement in state clean diesel coalitions, Smartway, and the promotion, generation, and implementation of clean diesel funding, programs, projects, and policies. (Due Date: Ongoing through September 30, 2015)

NAAQS Ambient Air Monitoring State Commitments

- ☐ Ohio EPA will continue to operate a comprehensive air quality monitoring network in accordance with the regulations specified in Title 40 Code of Federal Regulations (CFR) Part 58, as well as with USEPA guidelines. (Due Date: Ongoing through September 30, 2015)
- ☐ DAPC will submit site information to AQS as soon as it is received from the reporting organizations. In addition, DAPC will periodically review the data that is in the system for accuracy. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue the air toxics monitoring program consistent with guidance to be provided by USEPA and will submit the data to the AQS national database as soon as it is available. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will work with USEPA to transition to submission of AQS data through USEPA's node by the end of 2013. (Due Date: By the end of 2013)
- ☐ Ohio EPA will submit the annual network plan required by 40 CFR § 58.10, by July 1, 2014 and July 1, 2015. The plan will include any updates to the ozone monitoring network, the SO₂

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monitoring network, and the new roadway NO₂ monitoring requirements, as resources allow. (Due Date: July 1, 2014 and July 1, 2015)

- ☐ Ohio EPA will ensure adequate, independent QA audits of NAAQS monitors are performed. (PEP and NPAPA audits are conducted by USEPA contractors.) (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will provide current ozone and PM_{2.5} data to AirNOW. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to operate lead monitoring at source-oriented and non-source oriented locations as required (Due Date: Ongoing through September 30, 2015)
- ☐ DAPC staff will request permission from DAPC management and the Director's Office to send one representative to the AQS conference and other regional and State meetings which pertain to the management of monitoring data. (Due Date: Prior to the AQS conference)

NAAQS - Attainment Planning and Maintenance State Commitments

- ☐ Ohio EPA will review air quality reports and take appropriate actions dealing with new violating attainment areas with any of the NAAQS. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will, as appropriate, submit redesignation requests including maintenance plans for areas with clean air quality data. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to implement 8-hr ozone SIPs. (Due Date: Ongoing through September 30, 2015)
- ☐ All areas in Ohio have been designated attainment for the 1997 8-hr ozone standard and all SIP elements were fulfilled. Ohio EPA will consult with USEPA, as necessary, to finalize area designations for PM_{2.5}. (Due Date: September 30, 2015)
- ☐ Ohio EPA will prepare recommendations on designations for the revised 2012 PM_{2.5} NAAQS. (Due Date: December 2013)
- ☐ Ohio EPA will facilitate implementation of NO_x and SO₂ requirements under the Clean Air Interstate Rule. Ohio EPA will work with USEPA regarding future plans to address interstate transport as a result of the vacation of the Cross State Air Pollution Rule. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will consult with USEPA, as necessary, to finalize area designations for the SO₂ primary NAAQS. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to implement SIPs for the 2008 lead, 2006 PM_{2.5}, 1997 PM_{2.5} and 1997 ozone NAAQS. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will explore working with USEPA to develop and implement local ozone reduction programs to help achieve attainment of 2008 8-hour ozone NAAQS. (Due Date: Ongoing through September 30, 2015)
- ☐ As resources allow, Ohio EPA will support local efforts to conduct public notification and education efforts, including reporting air quality forecasts and current conditions for ozone and particle pollution. (Due Date: Ongoing through September 30, 2015)
- ☐ As resources allow, Ohio EPA will work with local area stakeholders to support innovative, voluntary, early action. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will submit a criteria emissions inventory according to the Air Emissions Reporting Rule. (Due Date: Annually)

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Regional Haze - Attainment Planning and Maintenance State Commitments

- ☐ Ohio EPA will continue to work with USEPA R5 on issues related to submitted regional haze SIPs. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to implement BART requirements. (Due Date: Ongoing through September 30, 2015)

Permitting State Commitments

- ☐ For PSD sources that are covered by the Tailoring Rule, Ohio EPA will include a review for BACT for GHGs. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA commits to monitor the percent of installation permits that meet the 180 Agency-day goal. The results shall be compiled annually. (Due Date: Annually)
- ☐ Ohio EPA, DAPC will continue to hold monthly calls with USEPA to discuss any USEPA comments concerning any permits. Ohio EPA, DAPC will respond as needed to address any concerns. (Due Date: Ongoing through September 30, 2015)
- ☐ DAPC will enter BACT/LAER determinations in the RACT/BACT/LAER Clearinghouse (RBLC) on a quarterly basis. (Due Date: Quarterly)
- ☐ When entering BACT/LAER determinations in the RBLC, Ohio EPA, DAPC shall enter the "application accepted date" and "permit issuance date" as part of the information entered in to the RBLC national database. (Due Date: Quarterly)
- ☐ Ohio EPA will provide the following to USEPA: (Due Date: Ongoing through September 30, 2015)
 - ☐ A. For major NSR and PSD and netting permits submitted,
 - i. draft permit (transmitted electronically within 2 business days of issuance)
 - ii. technical support document (transmitted electronically within 2 business days of issuance of the draft permit)
 - iii. copy of application (hard copy mailed or transmitted electronically prior to issuance of the draft permit)
 - iv. final permit (transmitted electronically within 2 business days of issuance)
 - ☐ B. For Synthetic Minor Sources
 - i. draft permit (transmitted electronically within 2 business days of issuance)
 - ii. technical support document (transmitted electronically within 2 business days of issuance of the draft permit)
 - iii. final permit (transmitted electronically within 2 business days of issuance)
 - ☐ C. Controversial Sources
 - i. items listed in a or b
 - ii. response to comments document
 - iii. notification of controversial sources through hearing notices transmitted electronically within 2 business days of the issuance of the notice
- ☐ Ohio EPA will send USEPA copies of the permit-to-install applications for any PSD/Nonattainment or controversial permits that are for facilities located near the U.S. /Canada border (generally the upper third of the state). In addition to the copy of each application, Ohio EPA will work with USEPA to provide the relevant information about the facility to the office of Air Quality and Planning Standards (OAQPS), so that the information can be uploaded onto the U.S./Canada

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Bulletin Board located on the OAQPS Technology Transfer Network. (Due Date: Ongoing through September 30, 2015)

USEPA 2011-2015 Strategic Measures (Outcomes) - Reduce Air Toxics

- ☐ By 2015, reduce emissions of air toxics (toxicity-weighted for cancer) to 4.2 million tons from the 1993 toxicity-weighted baseline of 7.2 million tons.

Air Toxics State Commitments

- ☐ Prepare and submit Criteria and HAP data to the National Emissions Inventory (NEI) per USEPA's NEI schedule. Submit Criteria data as required by AERR in 2013, 2014, 2015. Submit HAP data for the 2014 NEI by Dec. 2015. Quality assure and revise NEI data during review periods. Participate in Regional and National inventory workgroup conference calls. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA and USEPA have signed an agreement to delegate MACT implementation and enforcement authority by means of a state permit mechanism. Ohio EPA will maintain an active MACT program in DAPC. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will implement delegated or approved section 112, 111(d) and 129 standards, as appropriate, for major sources residual risk, and area sources. Work on GACT sources is limited to those sources that are required to obtain a permit from DAPC. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will participate in the quarterly State/Region 5 risk assessment conference calls, and if approved for travel, participate in annual State/Region 5 air toxics meeting. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue to conduct environmental assessments based on monitoring data and emission data. Ohio EPA will assist USEPA, as resources allow, to address concerns raised by NATA, with the understanding that NATA will not be used to direct the efforts of Ohio EPA's air toxics program. (Due Date: Ongoing through September 30, 2015)
- ☐ As resources allow, Ohio EPA will participate in research projects, policy issues and task forces that address identification and reduction of persistent bio-accumulative air toxic pollutants. (Due Date: Ongoing through September 30, 2015)
- ☐ As resources allow, Ohio EPA will work with communities to develop and implement voluntary air toxics programs that address outdoor and mobile sources with emphasis on areas with potential environmental justice concerns. As resources allow, Ohio EPA will work with the Ohio Department of Health as needed to support indoor air outreach programs. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will continue coordinating with the Ohio Department of Health to cooperate in the development and implementation of initiatives to address indoor air quality. Ohio EPA diligently informs citizens of indoor air information, provides information materials, and responds to citizen requests. Ohio EPA is providing assistance for special projects involving VOC sampling and risk analysis to the Ohio Department of Health and other Ohio EPA divisions as requested. Ohio EPA staff participate on State and local asthma coalition committees. (Due Date: Ongoing through September 30, 2015)
- ☐ As resources allow, Ohio EPA will look for opportunities to reduce risk from air toxics through voluntary programs and continued support of the Ohio Department of Health's programs to address

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indoor air (e.g. opportunities to integrate indoor air programs such as Tools for Schools, Asthma-ETS). (Due Date: Ongoing through September 30, 2015)

- ☐ Ohio EPA will continue efforts focused on monitoring and reduction activities related to sources that emit mercury and products that contain mercury and Ohio EPA will continue to advocate necessary tools to reduce and/or eliminate the use and/or release of mercury to the environment. DAPC will also continue to participate in the Ohio Mercury Reduction Workgroup. (Due Date: Ongoing through September 30, 2015)
- ☐ Great Lakes Air Deposition Program: Ohio EPA will continue to address the deposition of persistent bioaccumulative toxics (PBTs) in the waterways of the Great Lakes Region, through the operation of a mercury monitor on Lake Erie. (Due Date: Ongoing through September 30, 2015)
- ☐ The Ohio EPA has not been and will not be delegated any authorities to regulate or enforce the Radionuclide NESHAPs found at 40 CFR 61, Subparts B, H, I, Q, R, T, or W. (Due Date: Ongoing through September 30, 2015)

Strategic Goal 5– Enforcing Environmental Laws

Ohio EPA Contact: Bob Hodanbosi	USEPA Contacts: Rochelle Marceillars, Brian Dickens, and Debra Flowers	Due Date: See Below
USEPA Role: Provide technical and programmatic support.	Status:	
Funding Source FFY 2014-15: Section 105 Grant, PPG		

Objective 5.1: Enforcement Environmental Laws. Pursue vigorous civil and criminal enforcement that targets the most serious air hazards in communities. Assure strong, consistent, and effective enforcement of federal environmental laws nationwide.

USEPA 2011-2015 Strategic Measures (Outcomes) - Maintain Enforcement Presence

- ☐ By 2015, conduct 105,000 federal inspections and evaluations (5-year cumulative). (FY 2005–2009 baseline: 21,000 annually)
- ☐ By 2015, initiate 19,500 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005–2009 baseline: 3,900 annually)
- ☐ By 2015, conclude 19,000 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005–2009 baseline: 3,800 annually)
- ☐ By 2015, maintain review of the overall compliance status of 100 percent of the open consent decrees. (Baseline 2009: 100 percent)
- ☐ By 2015, increase the percentage of criminal cases with charges filed to 45 percent. (FY 2006–2010 baseline: 36 percent)
- ☐ By 2015, maintain an 85 percent conviction rate for criminal defendants. (FY 2006–2010 baseline: 85 percent)
- ☐ By 2015, reduce, treat, or eliminate 2,400 million estimated pounds of air pollutants as a result of concluded enforcement actions (5-year cumulative). (FY 2005–2008 baseline: 480 million pounds, annual average over the period)

Division of Air Pollution Control

Enforcement – Monitoring State Commitments

- ☐ Ohio EPA will submit the draft Compliance Monitoring Strategy (CMS) plan for review and negotiation with USEPA (Due Date: August 31, 2013 and August 31, 2014). Implementation of the final CMS plan will begin the upcoming federal fiscal year (Due Date: October 1, 2013 and October 1, 2014). Written correspondence to be submitted to Ohio EPA to approve or disapprove the CMS plan (Due Date: January 1, 2014 and January 1, 2015).
- ☐ The CMS source category and frequency flags in AFS will be completed for synthetic minor 80 source universes by October 1st. (Due Date: October 1, 2013 and October 1, 2014)
- ☐ Asbestos demolition/renovation sources and landfills will be inspected in accordance with the USEPA's "Implementation Strategy for Revised Asbestos NESHAP" dated 3/88. All "top priority" jobs and all jobs involving citizen complaints will be inspected. Records will be maintained to document the use of the asbestos targeting system. Each inspection will be conducted in accordance with the "Asbestos NESHAP Strategy." (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will respond to citizen complaints including those referred from USEPA. Inspections will be conducted where necessary. (Due Date: Ongoing through September 30, 2015)
- ☐ Ohio EPA will track and update USEPA on recommendations made during the State Review Framework until completion. (Due Date: Monthly Compliance Calls)

Enforcement – Reporting State Commitments

- ☐ Ohio EPA will submit compliance and enforcement information to meet USEPA's Minimum Data Requirements (MDRs) within the sixty (60) day standard required for reporting by the current Air Facility System (AFS) Information Collection Request (ICR). Ohio EPA will ensure data is complete, accurate and timely consistent with USEPA policies and ICR. Such language should be included in the written agreement between the State and USEPA. (Due Date: 60 day reporting as required by ICR)
- ☐ Asbestos notification information, compliance evaluations and enforcement activities will be reported alphabetically by owner or operator to USEPA. (Due Date: Annually)
- ☐ Ohio EPA will submit electronically to USEPA updates of CEM inventory and summaries of all EER and FSA reports and any CEM quality assurance reports from facilities required to report to Ohio EPA. (Due Date: Quarterly)

Enforcement – State Commitments

- ☐ Ohio EPA will conduct scheduled conference calls with USEPA to discuss their efforts to resolve known violators. During these conference calls, newly discovered violators will be identified and discussions on the date, case lead, evidence, timeline for resolution and status of case for both USEPA cases and Ohio EPA cases. For State lead HPV cases unaddressed over the 270 day timeframe, USEPA and Ohio EPA will determine which agency is best suited to take or maintain the lead for the case.
- ☐ A separate conference call will be conducted to discuss data management, reporting and any data related issues with Ohio EPA staff responsible for data reporting. (Due Date: Monthly)

Division of Air Pollution Control

- ☐ Ohio EPA will provide to USEPA the status code and explanation for HPV sources listed on Headquarters Watch List. The Watch List ensures timely and appropriate response to significant non-compliers or longstanding violators through better data analysis and routine discussions between USEPA HQs OECA, USEPA R5 and/or Ohio EPA. (Due Date: Quarterly)
- ☐ The DAPC will continue to conduct its enforcement activities in accordance with the “Timely & Appropriate Enforcement Response to High Priority Violations (HPVs) policy, 12/98”, “Clean Air Act Stationary Source Civil Penalty policy, 10/91” and the “Revised Asbestos NESHAP Strategy, 3/88” and will continue to try to address State lead significant violators within 270 days. (Due Date: Ongoing through September 30, 2015)

Strategic Goal 1– Taking Action on Climate Change and Improving Air Quality

Ohio EPA Contact: Bob Hodanbosi	USEPA Contact: Genevieve Damico	Due Date: See Below
USEPA Role: Various		Status:
Funding Source FFY 2014 and 2015: Title V Fees		

Objective 1.2: Improve Air Quality. Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.

Title V Permitting – State Commitments

- ☐ DAPC will continue to work on issuing backlogged renewal power plant and refinery Title V permits. (Due Date: Annual)
- ☐ DAPC will process and issue 60 Title V permits annually (Due Date: Annual)
- ☐ DAPC will prepare and send via e-mail to USEPA Ohio’s TOPs report. (Due Date: Semi-annually)
- ☐ DAPC will issue new Title V permits and significant permit modifications within 18 months of application completeness determined. Ohio EPA will also follow Director Nally’s plan to reduce the Title V renewal backlog. (Due Date: Ongoing through September 30, 2015)
- ☐ DAPC will cooperate with USEPA and set agreed-to targets to respond to any Title V permit program evaluations. (Due Date: as needed through September 30, 2015)

Division of Drinking and Ground Waters – Public Water System Supervision

Strategic Goal 2 – Protecting America's Waters

Ohio EPA Contact: Mike Baker	USEPA Contact: Tom Poy	Due Date: See Below
USEPA Role: Provide program and technical assistance, as requested. Assist with enforcement referrals, enhanced data exchange, analysis, data clean up, or other joint efforts as requested by state. Conduct work plan and report technical reviews, and prepare an end-of-year report and participate in a joint evaluation. Review primacy applications. Conduct lab audits; provide guidance and support, as requested.		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

SubObjective 2.01: Water Safe to Drink

- ☐ Ninety-five (95) percent of the population served by community water systems (CWSs) receives drinking water that meets all applicable health-based drinking water standards. (SDW-211)
- ☐ Ninety-four (94) percent of community water systems meet all applicable health-based standards. (SDW-SP1.N11)
- ☐ Ninety-six (96) percent of "person months" (i.e., all persons served by community water systems times 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards. (SDW-SP2)
- ☐ Ninety (90) percent of community water systems will have undergone a sanitary survey within the past three years. (SDW-01a)
- ☐ Ninety (90) percent of non-community water systems (NCWSs) will have undergone a sanitary survey within the past five years. (state measure)
- ☐ Sixty-four (64) percent of the population served by community water systems where risk to public health is minimized through source water protection. (SDW-SP4b)
- ☐ Forty-three (43) percent of community water systems where risk to public health is minimized through source water protection. (SDW-SP4a)

Supporting Activities: The following outlines activities to be completed by Ohio EPA in support of the Water Safe to Drink Subobjective 2.01. These work activities are detailed in the Annual Resource Deployment Plans (ARDPs) for FY 2014 and FY2015.

Maintain Compliance Oversight, Assistance and Enforcement Programs

- ☐ Notify public water systems of their regulatory requirements.
- ☐ Review results of required sampling and operating data to determine compliance with drinking water requirements.
- ☐ Determine and issue violations for Safe Drinking Water Act (SDWA) regulations.
- ☐ Follow up on violations in an expedient manner (as outlined in the ARDP on a rule-by-rule basis) to ensure public health protection.
- ☐ Use the Safe Drinking Water Information System/state version (SDWIS/STATE) to target compliance assistance and enforcement activities to return systems to compliance in a timely fashion.

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Division of Drinking and Ground Waters – Public Water System Supervision

- ☐ Take enforcement actions in accordance with the Ohio EPA enforcement strategy for Enforcement Response Policy (ERP) priority systems
- ☐ Participate with Region 5 in compliance and enforcement planning actions including referrals, enforcement verification audits and file reviews, and state compliance and enforcement strategy updates
- ☐ Update standard operating procedures and provide training to staff as necessary to ensure proper compliance determinations are being made

Conduct and report sanitary surveys at public water systems as outlined in the ARDP

Promote and assist development of local source water protection (SWP) plans

Provide adequate operator and laboratory certification program

- ☐ To retain primacy, the state must have available laboratory facilities capable of performing analytical measurements for all of the federally mandated contaminants specified in the state drinking water regulations (40 CFR 142.10(b)(4)). This laboratory or laboratories are considered the Principle State Laboratory system and must be certified by USEPA every three years.
- ☐ If all required drinking water analyses are not performed in the Principle State Laboratory system, the state must have a Laboratory Certification Program to ensure all labs that produce results for compliance with the SDWA are certified at least every three years in compliance with 40 CFR 141 and 142.
- ☐ Annually provide documentation to show on-going implementation of the Operator Certification Program.

Maintain database and submit all required reports

- ☐ Maintain the Public Water Supply Supervision (PWSS) Program by maintaining a database management system (SDWIS/STATE) that accurately tracks the inventory (including routine updates of system information), violations and enforcement, sampling information and compliance determination for all safe drinking water contaminants.
- ☐ Electronically report maximum contaminant level (MCL), treatment technique (TT) and Tier 1 public notice (PN) violations, state enforcement actions, return to compliance dates, and deactivation dates to SDWIS/federal version (SDWIS/FED) on quarterly basis.
- ☐ Use the latest version of FedRep to validate and correct errors prior to data submittal.
- ☐ Submit end-of-year report through the ARDP.
- ☐ Prepare and submit annual compliance report.
- ☐ Review draft PWSS program assessment report and participate in annual program review.

Adopt needed rules, policies and legislation

- ☐ Adopt new Federal safe drinking water rules within two-year extension period including re-codifying State rules as outlined in the ARDP.
- ☐ Submit Attorney General Certifications as they are received.
- ☐ Submit primacy applications and revisions as needed.

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Division of Drinking and Ground Waters – Ground Water Quality and Drinking Water Protection (CWA Section 106)

Strategic Goal 2 – Protecting America's Waters

Ohio EPA Contact: Michael Eggert	USEPA Contact: Tom Poy	Due Date: Annual Basis
USEPA Role: Provide guidance and support, as requested; conduct technical review of work plans and annual reports.		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems

SubObjective 2.03: Improve Water Quality on a Watershed Basis

- ☐ Provide assistance to the Division of Surface Water on measures that relate to public water supply beneficial use and public water supply water quality standards.

Administrative Support

- ☐ Complete annual grant reporting, budget tracking and accounting.
- ☐ Provide adequate administrative, safety and technical training to staff.

Provide Information and Data Management Support

- ☐ Update and maintain the Ground Water Quality Impacts database.
- ☐ Maintain and update Ground Water Quality Characterization Program database.
- ☐ Per the Trading Partnership Agreement, provide semi-annual ground water data to upload to National STORET/WQX data warehouse.
- ☐ Develop and maintain GIS applications to support Division Programs.

Ground Water Quality Monitoring and Special Water Quality Studies

- ☐ Sample up to 200 Ground Water Quality Characterization Monitoring Program (GWQCP) wells semi-annually.
- ☐ Develop and implement a plan to enhance the GWQCP.
- ☐ Develop semi-annual sampling GWQCP quality assurance reports.
- ☐ Update the GWQCP Operation Procedures Guidance document to reflect sampling and data management protocols and procedures including a Quality Assurance Program Plan. Align with the National Ground Water Monitoring Network Guidance.
- ☐ Sample three GWQCP wells associated with Ohio Department of Natural Resources Well Level Monitoring Network.
- ☐ As requested, conduct studies (1-3 per year) in cooperation with other Ohio EPA programs and Ohio agencies (e.g., Ohio Department of Health) to evaluate impacts to local ground water quality. Includes planning, scheduling, sample collection and analysis and preparation of a summary document.
- ☐ Assist Division of Surface Water in conducting TMDL and water quality monitoring to support the assessment of the public water supply beneficial use.

Division of Drinking and Ground Waters – Ground Water Quality and Drinking Water Protection (CWA Section 106)

- ☐ Coordinate algal monitoring at lakes/reservoirs used by public water supplies.

Protection and Evaluation of Sources of Drinking Water

- ☐ Review and comment on up to 50 CWA 401 Water Quality Certifications annually.
- ☐ Review environmental related rules, policy and legislation to recommend ground water and drinking water protection considerations.

Promote a Comprehensive Ground Water Protection and Management Program in Ohio

- ☐ Coordinate with Division of Surface Water on USEPA CWA/SDWA integration initiatives as necessary.
- ☐ Administer the State Coordinating Committee on Ground Water (SCCGW). Conduct six meetings, manage web page updates and prepare meeting summaries. Participate in or lead workgroups to prepare technical or regulatory guidance documents.
- ☐ Complete review and update of Ohio Water Well Standards, OAC 3745-9
- ☐ Develop non-potable water well guidance document.
- ☐ Participate in SCCGW workgroup to update the Well Abandonment and Sealing Guide.
- ☐ Continue participation on the Ohio Water Resource Council for development and implementation of Ohio's Water Resource Strategic Plan.
- ☐ Maintain and provide updates to the ground water quality and source water protection sections of the division's web page.
- ☐ Continue participation with other water management organizations (e.g. GWPC, AWWA, WMAO, USGS, MCD) to protect/manage the state's ground water and drinking water resources.

Evaluate, Assess and Measure Environmental Conditions.

- ☐ Complete the Ground Water and Public Water Supply Beneficial Use Assessments for the 2014 Integrated Water Quality Report.
- ☐ Develop four contaminant-specific ground water quality technical summary reports or fact sheets annually.
- ☐ Complete up to 25 Hydrogeologic Sensitivity Assessments to support implementation of the SDWA Ground Water Rule annually.
- ☐ Evaluate proposed waste treatment facilities' potential to impact ground water and sources of drinking water (e.g., land application of sewage sludge and wastewaters) as requested by the Division of Surface Water.
- ☐ Continue to coordinate with Division of Surface Water to implement the Public Water Supply Beneficial Use Assessment Methodology and complete assessments.
- ☐ Verify stream segments identified as public water supply use and ensure consistency between water quality standards and drinking water MCLs.
- ☐ Incorporate a proposed methodology for drinking water beneficial use for nuisance substances (e.g., harmful algae).

Division of Drinking and Ground Waters – Underground Injection Control Program

Strategic Goal – Protecting Underground Sources of Drinking Water

Ohio EPA Contact: Lindsay Taliaferro III	USEPA Contact: Valoria Robinson	Due Date: Per schedules established in workplan
USEPA Role: Review and assess mid-year reports by May 30 th and end-of-year reports by October 30 th . Provide technical assistance and updates to the state on policy and program implementation issues as needed including input on state rule development. Review and approve state program revisions and updates to the state primacy agreement. Coordinate on those Federal multi-media inspections involving Ohio injection wells as they occur. Coordinate with the state during the Federal permitting process for new Class VI well permit applications. Hold joint meetings where feasible on issues of national and regional significance. Provide technical assistance to the state on development of a state database that is capable of flowing data into the National UIC database. Coordinate with the state on land ban facilities including during the Federal petition process and throughout monitoring and compliance evaluations of existing facilities. Notify the state of new petition applications, petition permitting schedules, and other updates.		Status:

Funding Source FFY 2014: PPG

FFY 2015: PPG

SubObjective 2.04: Water Safe to Drink

- ☐ SDW-08: Identify endangering high priority Class V injection wells (cesspools, motor vehicle waste disposal wells, and industrial wells) and close or permit them.
- ☐ SDW-07: Return to compliance within 180 days all Class I injection wells that lose mechanical integrity.
- ☐ SDW-19a: Volume of CO₂ sequestered through injection as defined by the UIC Final Rule.
- ☐ SDW-19b: Number of permit decisions during the reporting period that result in CO₂ sequestered through injection as defined by the UIC Final Rule.

Administer Underground Injection Control Program

- ☐ Ensure compliance rates of at least Ninety percent (90%) for permitted Class I injection wells and Class V injection wells
- ☐ End-of-year reports will be prepared using USEPA approved forms, and will be submitted by October 31st annually
- ☐ Adopt any new federal regulations pertaining to Class I, Class IV, or Class V wells within 270 days from the date of promulgation in the Federal Register.
- ☐ Update the primacy agreement documentation as appropriate including revising the program description, the Ohio Attorney General's statement and the memorandum of agreement between USEPA and Ohio EPA.
- ☐ Seek opportunities to integrate pollution prevention, wellhead protection, and source water assessment initiatives into the Program.
- ☐ Mid-year reports will be submitted by April 30th.

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Division of Drinking and Ground Waters – Underground Injection Control Program

- ☐ Notify USEPA of substantial and non-substantial program revisions as defined in USEPA UIC Guidance #34 that are within the scope of the UIC program and submit necessary documentation as required under Code of Federal Regulations Title 40 Section 145.32

Ensure Regulatory Compliance

- ☐ Identify violations of permit or regulatory requirements, issue notices of violation, and take formal enforcement action as necessary.
- ☐ Conduct a total of ten (10) formal Class I well field inspections (one for each permitted well), ten (10) Class I well compliance reviews (one per well), and at least five (5) additional site visits annually. Ohio EPA will witness annual mechanical integrity tests performed on each Class I well. Approval or failure of Class I injection well mechanical integrity tests will be tracked for each well.
- ☐ Witness MI tests for all Class I injection wells; ensure USEPA approved test methods are used by all Class I well operators; and review MI testing plans required by permit to be submitted prior to testing, to assure planned testing methods are appropriate.
- ☐ Witness any temporary or permanent closure of any Class I wells.
- ☐ Conduct up to 50 inspections of reported or suspected Class V wells during FFY2012. Facilities with active, individually permitted Class V wells will be inspected annually. Facilities with Class V area permits may be inspected based on the environmental impact of the Class V operations.
- ☐ Large capacity cesspools and motor vehicle disposal Class V wells located within source water protection areas, along with complaint investigations, will be the top priorities for Class V inspections.
- ☐ Coordinate with the Ohio EPA Division of Surface Water (DSW) to ensure that all large capacity residential, industrial or commercial septic systems are properly permitted and inventoried.
- ☐ Ensure any identified Class IV wells are properly plugged and abandoned and take appropriate enforcement actions. Review plugging and abandonment plans for all Class V wells required to be closed.
- ☐ As staffing resources allow, closure of Class IV and V wells will be witnessed by DDAGW staff. USEPA will notify the UIC Unit Supervisor in writing of any reports of identified or suspected Class IV wells received by Region 5 staff to allow appropriate State investigation.
- ☐ Field inspections, complaint investigations, follow-up inspections, administrative orders and other enforcement actions will be documented on a quarterly basis.
- ☐ Inspection reports are required for all field inspections, and appropriate follow-up action will be taken after each inspection. Track all violations closely, and document the actions taken. Ohio EPA will utilize the USEPA definition of SNC contained within UICP Guidance 81 (March, 1995), and will place wells in violation on the exceptions list when appropriate. Ohio EPA will continue to implement the 1993 approved UIC Program Compliance and Enforcement Agreement.
- ☐ Track the number of NOVs issued for Class I wells, and will track the number of well violations returned to compliance in each quarter. The Agency will track and report Class I SNCs.
- ☐ Report the number of civil and criminal actions referred to the Ohio Attorney General.

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Division of Drinking and Ground Waters – Underground Injection Control Program

Issue Permits to Protect Underground Sources of Drinking Water

- ☐ Carry out permitting actions, including application review and permit writing, as necessary to ensure that wells meet the technical and regulatory standards to prevent potential USDW contamination. USEPA regional and national guidance will be considered in development of these permits.
- ☐ When feasible provide Region 5 with copies of draft permit actions for review prior to public issuance of draft decisions. Class I permits may be modified during the permit term, in accordance with established regulations.
- ☐ In the designated area of review for each Class I well, Ohio EPA will track the number of identified artificial penetrations (wells) that have been drilled to depths of concern, the number found to be deficient in closure, and the number for which corrective action was taken.
- ☐ Develop and issue any Class V permits consistent with applicable regulations, and based on site-specific waste and hydrogeologic information.
- ☐ Conduct compliance reviews of permit related monitoring reports and plans.

Provide Assistance to Business and the General Public

- ☐ Efforts will be made to provide information regarding UIC program requirements to the Class I and Class V well operators, interested public groups, and internally at Ohio EPA.
- ☐ Meet with regulated entities as necessary to discuss UIC rules, specific permit applications, site operation issues and compliance/enforcement programs.
- ☐ Respond to questions from local officials, consultants and the general public concerning UIC issues.
- ☐ Maintain UIC Internet site containing electronic copies of printed material (brochures, guidance documents, etc.) as well as a page devoted to information on any federal and Ohio Class V well rule changes.
- ☐ Respond to all citizen complaints concerning a Class I, Class IV or Class V injection facility in a timely manner.
- ☐ Participate in public hearings and informational meetings as determined to be necessary.

Data Management and Reporting Information to USEPA

- ☐ Per the Trading Partnership Agreement, provide bi-annual updates of the State UIC data to the National UIC database
- ☐ Work to improve data quality and provide timely and accurate information management.
- ☐ Continue development and maintenance of an efficient and effective data management system for Class I, IV and V wells.
- ☐ Report the total number of documented Class I and Class V wells in the State.
- ☐ Track the results of all MI tests and report number of wells that passed and number of wells that failed MI tests each quarter.

Division of Drinking and Ground Waters – Underground Injection Control Program

Mechanical Integrity Testing

- ☐ Mechanical Integrity Testing of Existing Class I Wells Annual mechanical integrity (MI) testing is required for all permitted Class I injection wells in Ohio, to detect potential leaks in the casing, tubing and/or packer (Part I MI). Additionally, the wells must be tested every three (3) years to assure that there is no fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore (Part II MI). Approvable casing inspection logs are required to be conducted in Class I hazardous UIC wells at the time of a well workover, under conditions specified in Ohio's UIC regulations.

Coordinate with USEPA to Implement Land Ban Program

- ☐ If requested, Ohio EPA will assist USEPA R5 to ensure that actions necessary to meet the requirements of the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) are taken at Class I hazardous waste injection well sites in Ohio.
- ☐ Should new Class I hazardous injection well facilities be identified or planned in Ohio that would require extensive work under this task, Ohio EPA will coordinate with USEPA R5 to establish appropriate funding for the additional workload. Ohio EPA's workload under this item could include: review of the geology underlying the facility including the evaluation of cores and subsurface logs produced at the facility; review of the area of review including the calculations and documentation of artificial penetrations within the proposed area of review; the review of data from pressure fall off tests; and the inputs to any modeling performed to demonstrate containment of the hazardous waste.

Division of Surface Water

Strategic Goal 1 – General Administration & Data/Information Management

Ohio EPA Contact: Various	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source FFY 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.1: Attend to management, supervision and personnel matters (Central Office & Districts)

- ☐ Complete routine administrative tasks including:
 - ☐ work plans;
 - ☐ periodic reports;
 - ☐ time cards;
 - ☐ personnel actions;
 - ☐ budgeting task; and
 - ☐ purchasing.
- ☐ Leave/time off @ approximately 250 hours per FTE
- ☐ Program or project specific management including:
 - ☐ provide guidance to staff;
 - ☐ general program and project development, management and oversight

Training for staff (Central Office & Districts)

- ☐ Basic skill & program training
 - ☐ First aid and safety/field sampling techniques/software skills
 - ☐ Routine program training
 - ☐ Professional development
- ☐ Special training
 - ☐ Wetland rapid assessment methodology
 - ☐ Biocriteria/QHEI training – will be conducted as staffing and budget allows June-October
 - ☐ Headwater Habitat field procedures (as needed)
 - ☐ Train inspectors on proper implementation of SEVs
 - ☐ Other

Data management and information systems development

Data management

- ☐ Upload biological monitoring data to the Ecological Assessment and Analysis Application (EA3) database. Upload historical and current ambient water quality data to EA3. Send approved data in EA3 to the STORET warehouse utilizing the Ohio EPA Node and the Water Quality Exchange.
- ☐ Maintain assessment databases supportive of a watershed approach utilizing the Watershed 12-digit HUC, Lake Erie Shoreline (or to-be-defined Lake Erie units) and Large River assessment unit delineations. Continue to work with Region 5 to submit and incorporate Ohio assessment data into national databases in a format acceptable and useful to both parties. Region 5 and Ohio EPA will

Division of Surface Water

communicate periodically to discuss options for 2014 and beyond regarding reporting and the efficacy of future reporting using the ADB.

- ☐ Submit annual monitoring statistics
- ☐ Upload all required National Pollutant Discharge Elimination System (NPDES) data elements for permits, permit compliance and Discharge Monitoring Report (DMR) data for all major and minor facilities to USEPA utilizing the Ohio EPA Node and the Integrated Compliance Information System (ICIS)-NPDES data exchange
- ☐ Ohio EPA will add Single Event Violation (SEV) fields to its NPDES Compliance and Inspection Tracking Database. Ohio EPA will also modify the XML Interface between the tracking database and ICIS-NPDES to incorporate SEVs in monthly reporting.
- ☐ Provide technical support to electronic DMR users
- ☐ Process all DMR data by 20th of following month
- ☐ Maintain a GIS tracking system and log for sewage sludge land application sites
- ☐ Utilize the NPDES permit Quality Assurance application
- ☐ Issue Preliminary Compliance Reports to NPDES permitted facilities based on their submitted DMR data
- ☐ Maintain Compliance and Inspection tracking database to track number of compliance inspections conducted and their results
- ☐ Maintain major NPDES permitted facility schedule
- ☐ Maintain appeals tracking
- ☐ Maintain CSO Plan tracking
- ☐ Maintain Pretreatment Program modification tracking
- ☐ Maintain newly created volunteer monitoring database under the credible data program

Information systems development

- ☐ Replace SWIMS (NPDES permit management software) with a customizable off the shelf software solution.

Division of Surface Water

Strategic Goal 2 –Protecting America’s Waters (Joint State/USEPA Clean Water Act Action Plan Permitting and Enforcement Work Plan)

Ohio EPA Contact: Paul Novak, Mark Mann	USEPA Contact: Kate Balasa, Barbara VanTil, Quintin White	Due Date: Annual basis
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Status:

USEPA Role: Ensure coordinated and integrated planning across permitting and enforcement programs as part of the Section 106 grant work plan development process. Coordinate the development of a Joint Work Plan. Lead, assist or workshare as specified in the annuals Work Plan. R5 will submit a summary report to headquarters annually on behalf of the state.

Funding Source FFY 2014: State Funded & PPG

2015: State Funded & PPG

Objective 3.2: Protect and Restore Watersheds and Aquatic Ecosystems

Working together, USEPA and Ohio EPA will annually conduct a CWA planning process to identify national, regional and state priorities consistent with the CWA Action Plan guidance. The resulting collaborative annual Work Plan will use all available mechanisms to accomplish its stated goals including federal and state work sharing, innovative approaches to monitoring facilities or addressing violations, etc.

- ☐ Cooperate in the development and implementation of the annual Joint State/ USEPA R5 CWA Enforcement and Permitting Work Plan.
 - ☐ Participate in annual planning meetings to develop collaborative annual Work Plans.
 - ☐ Participate in regular quarterly meetings to discuss progress towards meeting annual permitting and enforcement priorities outlined in the Work Plan.
- ☐ Track established priorities for each FFY.

Strategic Goal 3 – Grants

Ohio EPA Contact: Jennifer Martin	USEPA Contact: Dan Cozza and/or Kristen Faulhaber	Due Date: June 30, 2014
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USEPA Role:

Status:

Funding Source 2014: State Funded & PPG

2015: State Funded & PPG

Objective 3.3: 106 Grant Management

- ☐ Prepare grant, work plan and reporting documents

Division of Surface Water

Strategic Goal 4 – Compliance and Inspections, Compliance Monitoring Strategy (CMS) for Core National Pollutant Discharge Elimination (NPDES) Programs and Wet Weather Sources

Ohio EPA Contact: Paul Novak	USEPA Contact: Kate Balasa, Barbara VanTil	Due Date: Annual basis (required midyear and end of year reporting) Status:
USEPA Role: USEPA will provide program assistance as necessary. Additionally, USEPA will be the lead on certain CSO communities, working in partnership with Ohio EPA, to reach agreement on approvable long term control plans and implementation schedules.		
Funding Source FFY 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.4: Implementation of state-specific CMS for Core NPDES Programs and National Wet Weather Priorities

USEPA's national CMS began on October 1, 2009 and ends September 30, 2013, with implementation over five annual inspection cycles. For the purposes of this PPA, Ohio's state-specific CMS runs from October 1, 2011 through September 30, 2013. Its goal is to maintain an adequate enforcement and compliance assistance program which ensures NPDES violations are prevented and if violations occur, they are addressed in a timely and appropriate manner. Conduct compliance and inspections work*, including multi-media inspections (Includes Technical Assistance)

- ☐ Wastewater Treatment Facilities (# of inspections/reviews) — Collection System Inspections
 - ☐ For CSO communities where Ohio EPA is the lead agency for the CSO LTCP,
 - ☐ visit 33% Major CSO communities to verify compliance with NMCs and LTCPs, and
 - ☐ visit 20% Minor CSO communities to verify compliance with NMCs and LTCPs.
 - ☐ SSOs communities will be inspected as needed.
 - ☐ Major Dischargers - The DSW target is to conduct a CEI at a major facility once every other year (1/2 years) and to visit 70% of the majors annually. CSIs will be conducted in place of CEIs as deemed necessary. To accomplish this, assuming approximately 300 major facilities in Ohio, the inspection commitment will be as follows:
 - CEIs = 150 inspections
 - Recon. = 60 inspections
 - TOTAL = 210 inspections per year
 - ☐ Minor Dischargers – The DSW target is to conduct an inspection at each significant minor facility twice every five years (2/5 years). All other minors will be inspected at least once every five years. To accomplish this, assuming approximately 3000 total facilities in Ohio, the inspection commitment will be as follows:
 - CEIs = 450 inspections
 - Recon. = 450 inspections
 - TOTAL = 900 inspections per year
 - ☐ Biosolids facilities will be inspected according to the following goal:
 - ☐ Major POTWs – once every five years
 - ☐ Minors that land apply – once every five years
 - ☐ Approximately 70 sludge inspections each year are needed to meet the above goal.

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Division of Surface Water

- ☐ Storm water program
 - ☐ construction site inspections: ≥ 5 acres: 792 of 7924 (10% per year)
 - ☐ construction site inspections: 1-5 acres: 286 of 5728 (5% per year)
 - ☐ industrial site inspections: 246 of 2457 (10% per year)
 - ☐ Small MS4 evaluations: 44 of 307 (all to have evaluations performed between 10/14/07 and 9/30/14)
 - ☐ Large/medium MS4 evaluations: 0 of 4 for FFY14 and FFY15. To date, all 4 Phase I MS4s have had an audit performed.
- ☐ Industrial Pretreatment Program (# of inspections/reviews)

Our goal is to conduct an audit at each approved program at least once every five years. In the other four years, at least one PCI will be conducted. More frequent PAIs or RIs may be appropriate if there are more than 50 SIUs or compliance is an issue.
- ☐ Indirect Discharge Permits issued by Ohio EPA will be inspected 2 times in a 5 year period. Approved programs will have at least one Audit and at least two Permit Compliance Inspections in 5 year period.
 - ☐ Approved programs: pretreatment compliance inspections (PCIs, 20)
 - ☐ Approved programs: pretreatment audits (PAIs, program audits)(20)
 - ☐ Unapproved programs: industrial user inspections (65)
- ☐ Agricultural Permit Program
 - ☐ Inspect 20% of CAFOs that have permits or are known to have a duty to apply (currently 8 large + 1 medium inspections needed per year).
 - ☐ Inspect other large CAFOs to determine if they have a duty to apply for an NPDES permit. This work will be prioritized by watershed and by likelihood of discharge (based on information from ODA, complaints, etc.).
 - ☐ Coordinate with Ohio Department of Natural Resources and SWCDs on sharing information about AFOs with unacceptable conditions and illegal discharges; request NPDES permits where appropriate for small and medium CAFOs until the delegation transfer to ODA is approved.
- ☐ Report CMS inspection numbers to USEPA at mid-year and at the end of the federal fiscal year.
- ☐ Participate in State Review Framework (SRF) initiative. Address concerns identified as a result of SRF.

Strategic Goal 5 – Compliance and Inspections

Ohio EPA Contact: Paul Novak	USEPA Contact: Rhiannon Dee, Barbara VanTil	Due Date: Ongoing
USEPA Role:	Status:	
Funding Source 2014: State Funded & PPG	2015: State Funded & PPG	

Objective 3.5: Complaint investigation involving wastewater facilities, livestock facilities or general water quality conditions

- ☐ Respond to complaints related to wastewater, assist with complaints involving other Divisions
- ☐ Target priority watersheds for livestock issues to ensure prompt investigations and identification of medium or large CAFOs with a duty to apply until the delegation transfer to ODA is approved.

Division of Surface Water

Compliance Assistance Program for wastewater facilities

- ☐ Provide technical assistance to communities to improve wastewater treatment plant operations.

Strategic Goal 6 – Enforcement

Ohio EPA Contact: Mark Mann, Paul Novak	USEPA Contact: Rhiannon Dee, Barbara VanTil	Due Date: Ongoing
USEPA Role:	Status:	
Funding Source 2014: State Funded & PPG	2015: State Funded & PPG	

Objective 3.6: Enforcement support for wastewater program

- ☐ Basic Wastewater program (including livestock until the delegation transfer to ODA is approved)
- ☐ New referrals from District offices, including 6117.34 and settlement meetings in accordance with the process outlined in the DSW Enforcement Management System
- ☐ Follow up work on prior referrals
- ☐ Administrative Orders and Consent Agreements
- ☐ Verified Complaints action or dismissal
- ☐ NPDES permit violations will be addressed in accordance with Ohio EPA's approved Enforcement Management System.
- ☐ Storm water Program
- ☐ New referrals from District offices
- ☐ Pretreatment Program
- ☐ 401 Program
- ☐ New referrals

Strategic Goal 7 – Environmental Monitoring

Ohio EPA Contact: Alexander, DeShon, Dudley	USEPA Contact: Linda Holst, Ed Hammer, Mari Nord	Due Date: Per schedules established in workplan
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements and EPA policies, guidance and procedures.	Status:	
Funding Source FFY 2014: State Funded & PPG	2015: State Funded & PPG	

Objective 3.7: Ohio EPA/USEPA — Sample ambient sites

Ohio EPA

- ☐ Water quality samples & data entry:
 - ☐ NAWQMN and TMDL sentinel sites (at least 40 sites monthly or quarterly)
 - ☐ Based upon staffing and budget conditions, determine level of participation in monitoring, data analysis, and assessment activities related to the 2015 National Coastal Condition Assessment and the 2016 National Wetland Condition Assessment.

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Conduct intensive biological and water quality surveys and special sampling projects

5 year basin plan monitoring: (Approx. 10% of monitoring resources dedicated to reference site sampling and other non-TMDL projects; approximately 450 to 500 sites will be sampled; the final number will be determined by the annual field planning process). All monitoring will be conducted as outlined in the Ohio EPA Monitoring Strategy.

- ☐ Conduct field years 2014-2015 chemical/physical field sampling at special project, reference, and TMDL survey sites
- ☐ Conduct field years 2014-2015 chemical/physical sampling for modeling for TMDLs
- ☐ Conduct field years 2014-2015 macroinvertebrate field sampling at special project, reference, and TMDL survey sites
- ☐ Conduct field years 2014-2015 fish field sampling at special project, reference and TMDL survey sites
- ☐ Complete field years 2013-2014 macroinvertebrate laboratory analyses at special project, reference, and TMDL survey sites
- ☐ Complete field years 2013-2014 fish laboratory analyses at special project, reference, and other TMDL survey sites
- ☐ Assess information needs for 2014-2015 field sampling, complete study plans by June 15, 2014 and June 15, 2015, respectively. Provide study plans to USEPA on an annual basis when all are finalized.
- ☐ Continue to work with USEPA to prioritize issues identified through the joint evaluation process of the Ohio Surface and Ground Water Monitoring and Assessment Strategy; assess appropriate use of monitoring supplemental funds to implement activities as defined in the strategy.
- ☐ Collect field years 2014-2015 fish tissue samples in collaboration with Ohio DNR to support the Sport Fish Consumption Advisory Program jointly managed by Ohio EPA and Ohio Dept. of Health.
- ☐ Ohio EPA and U.S. EPA commit to revising the Measure SP-12 plan if necessary and implementing this plan throughout FY2014 and beyond

Employ Quality Management System

Quality Management Plan

- ☐ Continue to work with Region 5 to implement program evaluations and improvements
- ☐ Compile list of self-approved project-level QAPPs, identify minor revisions needed in Division's QMP and provide to Region V annually starting January 31, 2014.

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Strategic Goal 8 – Permits, Licenses, Plan Approvals and Certifications

Ohio EPA Contact: Paul Novak	USEPA Contact: Kevin Pierard	Due Date: Per schedules established in workplan
USEPA Role:	Status:	
Funding Source 2014: State Funded & PPG	2015: State Funded & PPG	

Objective 3.8: Ohio EPA/USEPA — Administrative processing of wastewater discharge permit actions

Process NPDES permit actions

- ☐ Tasks include public notice actions on NPDES permits: issue, modify or revoke indirect discharge permits, pretreatment modifications, final transfers, revocations, modification and NPRs
- ☐ Process Notice of Intents for coverage under general permits
- ☐ Continue working to improve processing time and the quality of documents being sent to the public
- ☐ Provide assistance to public and district office on status of permits or general information about permitting process
- ☐ Send the list of General Permits that are to be issued in FY 14 and 15 to USEPA
- ☐ U.S. EPA annually provides a listing of permits it will review prior to issuance consistent with MOA provisions.

OEPA will comply with the MOA governing the NPDES permit program.

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- ☐ ~~OEPA will review expired individual permits for coal mines.~~

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- ☐ ~~OEPA will implement an approach to reduce nutrient loading from point source to water bodies impaired due to nutrients or where downstream waterbodies are impaired due to nutrients.~~

Technical development and review/oversight of NPDES wastewater discharge permit issuance

- ☐ Renew Major permits – 50,
- ☐ Renew Minor permits – 550,
- ☐ Issue New permits, as submitted
- ☐ Develop Modifications, as submitted
- ☐ Review/oversight:
- ☐ Address the one remaining action item with respect to enhancement opportunities identified in the PER self-assessment, i.e., renew NEORS's CSO permit.
- ☐ Review of wet weather control measures and provide CSO implementation status information to USEPA upon request.
- ☐ Audit minor NPDES permits prepared by districts

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- ☐ Review non-renewal biomonitoring results
- ☐ Ohio EPA, with input from Region 5, will identify their most environmentally significant permits and prioritize the issuance of those permits, in order to maximize environmental benefits and optimize the use of valuable resources.
- ☐ Maintain a 90% permit issuance rate overall and a 95% issuance rate for those permits that the state has identified as environmentally significant.
- ☐ Comply with USEPA guidance and requirements for priority permits identified as environmentally significant.
- ☐ CAFOs: continue to issue permits for large CAFOs (2 new applications and 1 renewal application pending as of 5/22/13) and issue final permits for at least 2 medium CAFO (or determine that no permit is required).
- ☐ Other permit actions:
 - ☐ Review cooling water additive requests, as submitted
 - ☐ Process CERCLA "Permits", as submitted
 - ☐ Review mixing zone demonstrations, as submitted
 - ☐ Review and provide initial comments within 6 months of receiving a long term control plan. Implement the Ohio EPA/USEPA MOA on long term control plans. This MOA identifies responsibilities for negotiations for specific communities. Work with USEPA on review of the MOA as needed.
 - ☐ Ohio EPA submits list of major permits the State plans to reissue during the Fiscal year to USEPA, of those, USEPA will select 10-12 permits each year. As agreed to by R5, Ohio EPA will provide a copy of the public noticed permits at the time of public noticing.

Municipal Pretreatment Program Oversight (regulation by Cities of wastewater discharges to sanitary sewers) and Regulation and inspection of industrial waste discharge to sanitary sewer systems (in municipalities without pretreatment programs)

- ☐ Approve new programs as needed
- ☐ Process program modification requests
- ☐ Renewal IDPS, maintain backlog under 10%
- ☐ Review, approve & track Toxic Organic Management Plans
- ☐ Review annual reports
- ☐ Provide EPA, in March and September, the number of SIUs in Cities with approved programs and of those, number with current control mechanisms.
- ☐ Provide EPA, in March and September, the number of CIUs in non pretreatment cities and of those, number with current control mechanisms.

Technical review of Section 401 water quality certifications

Division of Surface Water

- ☐ Complete, review and recommend action on permit applications for wetland fill or other dredge and fill projects
- ☐ Prepare case work for appeals
- ☐ Provide biological review and recommendations on permit applications with unique/important aquatic life issues as needed
- ☐ Public hearing and preparation of responses

Strategic Goal 9 – Rules, Policies, Legislation & Program Development

Ohio EPA Contact: Dan Dudley	USEPA Contact: WQS – Linda Holst and Dave Pfeifer	Due Date: Ongoing unless otherwise specified
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status: 2015: State Funded & PPG

Funding Source 2014: State Funded & PPG

Objective 3.9: Coordinate rule and policy matters; Develop needed policy, guidance or procedures

- ☐ General:
 - ☐ Convene DSW Committee on Rule and Policy as needed to develop rule priorities and track progress.
 - ☐ Track and report status of rule development
 - ☐ Track federal rule activity related to water pollution control

Develop general permits (see permit section for processing NOIs)

- ☐ NPDES program:
 - ☐ Renew the general permit for Coal Surface Mining Activities
 - ☐ Support TMDL program with development of specific watershed construction storm water general permits as recommended by future TMDLs

Develop authority and capacity for major program initiatives

- ☐ Implement sludge program per delegation agreement

Rule Regulation and promulgation

- ☐ General:
 - ☐ Conduct triennial and 5-year rules reviews as scheduled in accordance with federal and state regulations. Review Ohio's multiple discharger variance for mercury OAC 3745-33-07(D) (10) and its implementation in NPDES permits issued by Ohio EPA.

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- ☐ ~~Develop new rules/revise existing rules as necessary to meet state and federal program priorities in accordance with state rulemaking procedures. The anticipated schedule to propose new rules is the first quarter of FFY 14 (Oct-Dec 2013) for:~~
- ☐ ~~3745-1-53 (Wet and antidegradation)~~
- ☐ ~~3745-1-1 thru 3745-1-43 (Draft WQS rules)~~
- ☐ ~~3745-1-21 (Great Miami Use Rules)~~

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- ☐ Submit AGO certifications as they are received

Strategic Goal 10 – Technical Review and Technical Analysis

Ohio EPA Contact: DeShon, Mount, Dudley	USEPA Contact: JB and TMDL Jean Chruscicki; Bioassessment – Ed Hammer; Uses/Criteria/WQS- Linda Holst and David Pfeifer; Nutrient criteria- Brian Thompson	Due Date: Established in work plan	Per schedule
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status:	
Funding Source 2014: State Funded & PPG		2015: State Funded & PPG	

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Objective 3.10: Statewide reports on water quality conditions

- ☐ Meet USEPA submittal requirements:
 - ☐ Complete work necessary to ensure timely submission of Ohio's 2014 Integrated Report (305b and 303d, due on April 1, 2014) including ADB/ADB-compatible and geo-referencing files
 - ☐ Lay groundwork for timely completion of Ohio's 2016 Integrated Report (305b and 303d, due on April 1, 2016)
 - ☐ As resources allow, participate in the Region 5 bioassessment work group activities
 - ☐ Provide update to Ohio goals tracking
 - ☐ Annual sludge report

Regional, watershed or site specific reports on water quality conditions

- ☐ Technical Support Documents / Other site reports:
 - ☐ Comprehensive watershed reports (9 TSDs) based on sampling conducted during the 2011 and 2012 field seasons that support water quality planning processes (including TMDLs); reports completed between October 2013 and September 2015
 - ☐ Assessments of unregulated hazardous waste sites (DERR) as requested and as budget, staffing, and scheduling allows
 - ☐ Provide specialized products for watershed activities (as needed) that support Ohio's water quality planning processes
- ☐ Analysis & reporting in support of use designation rules

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- ☐ Technical basis for use designation rule changes recommended based on field assessments
- ☐ Wasteload allocations to estimate economic impact of use changes
- ☐ Permit evaluations, analysis of treatment alternative

Specialized review and analysis in support of criteria and methods development

- ☐ Basic water quality criteria development:
 - ☐ Complete human health criteria reviews on an as needed basis
 - ☐ Submit templates for the Great Lakes Initiative Clearinghouse to USEPA when new criteria applicable to the Great Lakes are adopted or existing criteria are revised
 - ☐ Complete aquatic life criteria reviews on an as needed basis
 - ☐ Develop schedule to update fish and macroinvertebrate metrics and numeric biocriteria based on new data and more modernized procedures
- ☐ Criteria work with nutrient issues:
 - ☐ Implement the project management plan for the preparation of nutrient water quality criteria
 - ☐ Large rivers: Complete the analysis of large river nutrient data by Summer-Fall 2013. Develop procedures for determining status and effects of nutrients in large rivers by the end of calendar year 2013. Proposal of large river nutrient assessment procedures and/or nutrient criteria anticipated in 2014.
 - ☐ Streams and lakes rule: Consider comments from the Early Stakeholder Outreach by summer 2013. Convene stakeholder advisory group to address implementation issues starting in fall 2013. Determine if lakes reference values should be adjusted based on comments from the Early Stakeholder Outreach and/or additional data collected since last analysis (2008). Evaluate whether a site specific methodology for lakes should be included in the rule. Draft rules are anticipated in 2014. Notify USEPA Region 5 and amend nutrient plan if necessary in third quarter of each fiscal year.
 - ☐ Continue participation in the Nutrient Regional Technical Advisory Group
- ☐ Biocriteria Narrative
 - ☐ Participate with USEPA in mediated discussions to resolve the outstanding disapproval of Ohio's biocriteria narrative

Strategic Goal 11 – Total Maximum Daily Load Development and Long-Term Planning

Ohio EPA Contact: Trinka Mount	USEPA Contact: David Werbach	Due Date: Sept. 1, 2014 and 2015
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status:
Funding Source 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.11: Develop TMDLs per the most recent 303(d) approved list

- ☐ Complete 75 TMDLs each year per the Integrated Report
- ☐ Provide update to Ohio's new 2020 aquatic life use goals as established in the 2010 Integrated Report.

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- Continue or begin work on TMDLs scheduled for completion in 2013, 2014, 2015 and 2016. U.S. EPA-provided contractor assistance is being used for the loading analysis on the Sandusky River (lower) and Maumee mainstem projects.

Strategic Goal 12 – Outreach

Ohio EPA Contact: Chris Bowman	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.12: Website development and maintenance

- Web site updated at least monthly with program information

Strategic Goal – Brownfields: 128(a) Four Elements of State Response Programs

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date: On-going
USEPA Role:		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.1: Brownfields Inventory 104 k grant [BINV]

- Provide geographic information systems (GIS) capabilities to support division inventory that is web accessible.
- Under the time frames for this grant, Ohio EPA proposes to continue working with local governments who are willing to share site information, including those sites that receive 104k grants for assessment and cleanup. Work on compiling the inventory and site information will continue by SABR staff and will be placed in pdf files on the web and internally updated manually at least monthly. SABR is requesting information from its TBA recipients and Clean Ohio Fund applicants to add to the inventory. SABR will also provide outreach and educational training to local governments to explain the benefits of documenting brownfield sites in their area. In addition, SABR has hired a full-time employee to focus on this effort, as well as coordinate with the State Fire Marshall Office, Bureau of Underground Storage Tanks (BUSTR) in order to obtain petroleum brownfields into the inventory. In addition, SABR will be working with Region 5 staff to obtain read only access to ACRES in order to contact recipients of 104k grants and request they add their properties without end users to Ohio's inventory. As these brownfield inventory sites get redeveloped and reused, we will promote these sites as success stories through publication in SABR newsletters and other SABR and Agency marketing materials.

Objective 4.2: Oversight and Enforcement Authorities or Other Mechanisms and Resources [BOVR]

Existing Elements

Ohio's cleanup laws require that both voluntary and involuntary cleanups protect human health and the environment. Ohio EPA's enforcement authorities allow it to set protective standards for cleanups and to bring sites back into compliance with those standards after the cleanup is in place. The RR program, ER program and VAP achieve these through different processes but the result is the same. RR uses traditional negotiated orders with review and approval of plans and reports detailing the cleanup standards that are set by statute, state guidance and the National Contingency

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Policy. The VAP uses extensive regulatory cleanup standards and processes, review of some plans (MOA track) and reports (MOA and classic track) and annual audits of a percentage of completed cleanups. ER uses statutory standards, on-scene directives, review, and in some cases, orders.

Proposed Activities and Tasks

Continue providing oversight at VAP projects through technical assistance to local governments funded by this grant. VAP technical assistance provides short term or long term assistance to volunteers for all aspects of the VAP. VAP technical assistance activities can range from short technical assistance meetings and calls to more detailed technical assistance document reviews. VAP technical assistance allows Ohio EPA to provide effective input to volunteers resulting in a higher quality voluntary cleanup program. Ohio EPA plans to provide VAP technical assistance to approximately 80 community projects in Federal Fiscal Year 2014.

Objective 4.3: Mechanisms and Resources to Provide Meaningful Opportunities for Public Participation [BPUB]

Existing Elements

Ohio's response program provides opportunities for meaningful public participation. As mentioned above, Ohio has a very broad records law that allows the public to examine virtually every record associated with a cleanup. Under the VAP, the public can also request Ohio EPA to retrieve records from certified professionals even if the agency does not have possession of those records. For sites under RR orders, VAP MOA and Clean Ohio Fund sites, all documents are also stored at a local repository, notice is given of proposed actions, and public comments are solicited on actions and cleanup plans. For Clean Ohio sites, the applicant is required to post a 4 ft. x 4 ft. sign notifying the public of meetings regarding the proposed site cleanup plans. Ohio law provides the public the opportunity to file a verified complaint about any site that requires Ohio EPA to evaluate the environmental problems at the site, rectify any problems and advise the complainant of the outcome.

Proposed Task and Activities

- ☐ Continue the brownfield marketing and outreach program (community revitalization support CRS). This program is proactive, targeting local governments and providing them a range of information from basic Ohio environmental cleanup regulations to the details of applying for state and federal assessment cleanup money. Program marketing and outreach tasks for this year include:
 - 1) web page updates, including program policies and guidance, fact sheets, annual legislative reports, etc.;
 - 2) creation of print and electronic marketing products that will increase awareness and assist in marketing the programs;
 - 3) visits to local communities to discuss the advantages of using particular cleanup programs for sites in their area as well as holding Brownfield funding workshops for groups of local communities; and
 - 4) communicating program status and successes.
- ☐ VAP and SABR continue to provide external training to various local governments, developers, and consultants doing cleanup work and on procedures for preparing and submitting the VAP MOA track documents, public participation, and public notification. In addition, staff is routinely asked to

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participate on numerous boards, and attend conferences and seminars. VAP also intends to continue revising/updating a video training focused on the fundamentals of performing a voluntary action at a site for all certified professionals (CPs) the first year and all new CPs in subsequent years. DERR staff will continue to provide these outreach activities to the community.

- ☐ SABR will be conducting agenda and logistical planning for the 6th Ohio Brownfield Conference that will be held in spring 2014. We have requested \$20,000 to assist in purchasing various conference materials and rental needs.
- ☐ The Ohio EPA should review sites with CA725, CA750 and CA550 accomplished and determine whether those sites qualify to be coded as CA800 Ready for Anticipated Use. The Ohio EPA should enter the CA800 code once the site has achieved the required milestones.

Objective 4.4: Mechanisms for Approval of a Cleanup Plan and Verification That Cleanup is Complete [BMOA]

Existing Elements

Ohio's response program requires approval of cleanup plans and verification that cleanup is complete. The RR, ER and VAP do this under different processes. RR approves cleanup plans through review and comment on investigation reports and development of its own preferred plan for cleanup. Once a cleanup is complete and all terms of the implementing orders are satisfied, Ohio EPA concurs with certification that the process is complete. VAP approves cleanup plans through review of the NFA or review of a proposed MOA track remedy. The covenant is issued once the cleanup is complete. If long term O & M are necessary, a final release is issued once standards are met. ER directs cleanup activities on scene or approves cleanup plans required under orders.

Proposed Task and Activities

State resources will be used to perform these elements except for the MOA track sites. Review, comment and approval of MOA key documents will be supported by this grant. These services will be provided, if requested, to as many municipality owned VAP MOA track sites as possible, such as Brownfield Community Revolving Loan Fund projects. VAP has planned to provide approximately three new sites with MOA oversight under this grant period.

Strategic Goal – Public Record Requirement [BREC]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.5: Public Record

Existing Record

Ohio EPA maintains files on every site. Files contain information about the site including the name, location, any response actions that have occurred, and any restrictions on use of the property. These data are automated in the VAP and ER but not for RR.

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Long Term Vision

Ohio EPA plans to automate all site data for ER, RR, SABR (brownfields), and VAP in relational databases. This information will be GIS and web-based and searchable to enhance public access to it. There will be a staged development for eight separate modules of the database.

Proposed Tasks and Activities

Under this proposal, Ohio EPA plans to establish manually on the web the public record of sites that includes the name and location of all state-lead sites at which DERR plans to work on in state fiscal year 2014. The website will be updated annually to meet the public record requirements until an automated version is in effect.

Also, Ohio EPA will continue to geolocate sites in our state fiscal year (SFY) 2014 workload. Many of DERR's SFY 2013 workload sites will carry over to SFY 2014, and several of DERR's SFY 2013 workload sites will have already been geolocated by September 2013. Therefore, DERR will complete additional SFY 2013 and 2014 workload geolocating, and then begin to geolocate additional files. We estimate 50 sites will be geolocated in this grant period.

Strategic Goal – Program Enhancements [BENH]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Jose Cisneros	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.6: Program Enhancements

VAP Program development

The VAP program development tasks include: developing policies, guidance documents, procedures or processes, and internal training as needed to incorporate development in scientific disciplines such as data quality, risk assessment, toxicology, engineering, ecological assessment, hydrology and cleanup technologies/mechanisms or legal evaluation (e.g., institutional controls) that influences voluntary assessments and cleanups.

Proposed activities are:

- 1) providing guidance, procedures, policy, technical guidance compendium (TGC), tracking mechanisms and rule development and revision for the implementation, maintenance and improvement of the VAP classic and MOA-track VAP for both internal and external users;
- 2) periodically updating the NFA review checklist;
- 3) periodically updating audit procedures to reflect the new MOA checklist and audits of MOA track sites;
- 4) developing a computer tracking system for tracking progress of MOA track document reviews and providing USEPA the reporting information required pursuant to the VAP MOA;
- 5) preparing for and participation in internal training, such as Divisional Quarterly Training and sampling training. We agree with the items above but would like to add the need to report annually on the progress being made on the MOA track VAP sites, regardless of whether or not

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the state has a database up and running. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP. We agree with the items above but would like to add the need to report annually on the progress being made on the MOA track VAP sites, regardless of whether or not the state has a database up and running. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.

- 6) report annually on progress made on the MOA track VAP sites. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status of sites in the VAP program. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.

We agree with the items above but would like to add the need to report annually on the progress being made on the MOA track VAP sites, regardless of whether or not the state has a database up and running. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.

SABR We agree with the items above but would like to add the need to report annually on the progress being made on the MOA track VAP sites, regardless of whether or not the state has a database up and running. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.

SABR has a variety of guidance needs, which include:

- 1) development of outreach guidance and fact sheets to assist communities seeking CRS;
- 2) creation of tracking mechanisms to implement a comprehensive brownfield program;
- 3) provide guidance and training to all DERR staff regarding implementation of this grant;
- 4) updating the Ohio Brownfield Inventory requirements;
- 5) maintaining the state funded Targeted Brownfield Assessment program; and
- 6) implementing the VAP Environmental Insurance Program (VAP-EIP)

Strategic Goal – Targeted Brownfields Assessments [BTBA]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: : Keary Cragan	Due Date:
USEPA Role		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.7: Targeted Brownfield Assessments field work [BTBA]

Ohio EPA will utilize Site-Specific assessments (TBAs) to assist local communities throughout Ohio in obtaining initial information on a site that will assist in decision making on potential redevelopment by providing information and data on site characteristics and past contamination.

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Many targeted assessments will be conducted pursuant to the VAP requirements and thus will also involve sample analysis by a VAP Certified Lab (CL). These assessments remove constraints from environmental uncertainty so that a site may be developed or purchased therefore we will not score these sites.

Ohio EPA projects to complete 10 investigative TBAs in FFY 2014. The specific scope of work is expected to vary for each project depending on the conditions at the site and quantity and quality of existing data. Clean Ohio Fund opportunities have created an increase in TBAs, but fewer communities want full-blown assessments. Rather, they need supplemental data to make decisions to move the cleanup forward. Administratively, deliverables will be prepared following VAP Phase I and II report requirements. Phase I reports will also follow the requirements of the "All Appropriate Inquiry." The goal is to investigate potential contaminated areas and to delineate areas of concern. Appropriate coordination with USEPA will occur on TBA site selections. Staff time for TBAs also includes application reviews, coordination, and kickoff meetings/site visits with applicants.

Strategic Goal – Increase Number of Response Actions [BSUP]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.8: Program support

Proposed Activities

Grant Support

The fiscal, grant and contract management activities relate to the grant details and fiscal activities associated with developing, monitoring, managing and reporting on the grant agreement. This does not include site specific activities.

Division of Environmental Response and Revitalization

Grant and contract management tasks include but are not limited to:

- 1) coordination within Ohio EPA and with USEPA personnel to develop the annual amendments and other tasks related to this grant agreement;
- 2) development of appropriate contracts projections needed to complete these grant commitments;
- 3) coordination of input from program and fiscal management personnel on the funding requirements by object class for completion of this agreement;
- 4) communication with the Region 5 grant contact to coordinate and implement this grant;
- 5) coordination with Ohio EPA fiscal personnel and the USEPA grant contact on monitoring the balance of grant funds; and
- 6) coordination and compilation of input for the periodic reports.

Fiscal management tasks include:

- 1) monitoring of grant funds and expenditures and providing periodic reports on the balance of funds;
- 2) processing purchase orders and invoices associated with implementing the grant;
- 3) participating as a team member working with the contractor that determines the indirect rates for cost recovery;
- 4) attend fiscal meetings internally or with Region 5 when necessary;
- 5) maintaining adequate financial records and implementing appropriate fiscal audit procedures; and
- 6) participating as a team member during any audits.

Reviews for the Federal Tax Certification Program

Currently, the Federal Tax Certification has sunset so Ohio EPA does not anticipate issuing any tax certification documents in 2014 unless the tax certification is reauthorized.

General Services

Ohio EPA has general services that include, but are not limited to communications, maintenance/repair, rent, utilities, printing, and miscellaneous charge backs from our Departments of Administration.

Strategic Goal – Maintain adequate Equipment and Supplies [BEQP]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: 128a Grant		FFY 2015: 128a Grant

Objective 4.9: Purchasing

Proposed Activities

Equipment and supply needs for FFY 2014 are specifically identified in Table 9. Ohio EPA expects to purchase software updates and licenses for GPS equipment, risk assessment evaluations, etc.; consumable office and field supplies; field equipment; and print and marketing products.

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Division of Environmental Response and Revitalization

Strategic Goal – Inspections

Ohio EPA Contact: Ed Lim	USEPA Contact: Michael Cunningham	Due Date: FY 2014 through 2015
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 5.0: Inspection Commitments

At least once every three (3) years, EPA and Ohio EPA inspect Treatment, Storage and Disposal Facilities that are no longer in the operating universe but still have compliance requirements. These inspections are required in the January 2010 Compliance Monitoring Strategy from the Office of Enforcement and Compliance Assurance.

Division of Materials and Waste Management

Hazardous Waste Program Elements

Strategic Goal – Achieve GPRA 2020 RCRA Corrective Action Goals

Ohio EPA Contact: Ed Lim	USEPA Contact: Joe Cisneros	Due Date: FFY 2014 through 2015
USEPA Role:		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.1: GPRA RCRA Corrective Action Goals (USEPA Goal 3 Cleaning up Communities and Advancing Sustainable Development, Objective 3.3 Restore Land)

- Ohio EPA administers the RCRA corrective action program to meet the 2020 GPRA goals including program management, grant development, data management, reporting. USEPA provides assistance to Ohio EPA with GPRA goal activities (EI determinations).
- Issue permits, orders, “voluntary agreements” (in Ohio’s case, this could mean the VAP or other situations where a facility is conducting an investigation and proposing/implementing remedies voluntarily) that will help achieve the 2020 goals for those performance measures. Ohio EPA tracks progress of sites in the corrective action pipeline. Ohio EPA will work with USEPA to finalize facility assignments for obtaining the 2020 universe GPRA environmental indicators and establish reasonable deadlines for specific facilities. For state lead corrective action projects, Ohio EPA will identify if any CA725, CA750 and CA550 performance measures have already been met and ensure that the information is reflected timely in the RCRA database by September 30, 2014, and September 30, 2015.
- For state-lead 2020 baseline facilities, achieve (or help USEPA achieve) the following goals for CA 725, CA 750 and CA 550 performance measures: Note for Ohio EPA reviewers. These goals are being reported in terms of FFY time frames because this is how USEPA structured measuring progress for the Corrective Action 2020 goals. Ultimate goal is 95% achievement for all performance measures by 2020.

Performance Measure	September 30, 2014 Goal		September 30, 2018 Goal	
CA 725	90%	230(142[HYPERLINK "" \l " _ftn1" \\o ""])	95%	253(142)
CA 750	80%	205(125)	86	221(128)
CA 550	57%	146(86)	73%	187(92)

Meet measure, CA7 or CA900/999, that requires a national goal of 1% per year increase for the 2020 universe list of sites. The Region is looking at 1 to 2 CA 900/999s per year per state, from FY 14 through FY 18. The current national percentage is 20%. The target is 21% for FY14. The target for FY 18 is 25%.

- Timely enter all corrective action event information into RCRAInfo and “data cleanup” as necessary to ensure information is in RCRAInfo for facilities that have achieved the performance measures.
- The OEPA should review sites with CA725, CA750 and CA550 accomplished and determine whether those sites qualify to be coded as CA800 Ready for Anticipated Use. The OEPA should enter the CA800 code once the site has achieved the required milestones.

[PAGE * MERGEFORMAT]

Division of Materials and Waste Management

- ☐ The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status of sites in the VAP program. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.
- ☐ Semi-annual conference calls to discuss progress overall and on specific facilities, potential lead changes, assistance needed from USEPA (e.g., contractor support) and as-needed conference calls on program issues or specific projects.
- ☐ Provide limited assistance to USEPA for federal-lead 2020 sites.
- ☐ USEPA will provide the necessary contract assistance on state lead RCRA projects, as requested. VAP technical assistance allows Ohio EPA to provide effective input to volunteers resulting in a higher quality voluntary cleanup program. Ohio EPA plans to provide VAP technical assistance to approximately 80 community project in Federal Fiscal Year 2014.

Strategic Goal – Complete hazardous waste facility permitting and closure actions in accordance with GPRA goals and state regulatory/statutory requirements

Ohio EPA Contact: Jeremy Carroll	USEPA Contact: Jae Lee	Due Date:
USEPA Role: (USEPA has role in 3/7 remaining sites need controls in place.)		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.2: Permitting and Closure (USEPA Goal 3 Cleaning up Communities and Advancing Sustainable Development, Objective 3.2 Preserve Land and Objective 3.3 Restore Land)

- ☐ Issue permit renewals to 100 percent of the renewal baseline facilities Process/act on permit modifications within the applicable regulatory timeframes.
- ☐ Bring 98 percent of the permit baseline facilities “under control” (approved controls in place)
- ☐ Review and approve new/amended closure/post-closure plans pursuant to deadlines in the applicable rules and accept closure certifications once certification reports are submitted; act on petitions to change the terms of approved post-closure plans.

Strategic Goal – Inspections

Ohio EPA Contact: Bruce McCoy	USEPA Contact: Michael Cunningham	Due Date: FY 2014 through 2015
USEPA Role: Complete annual core inspections, which include conducting, at a minimum: 6 LQG inspections, 2 non-government treatment, and storage and disposal facility inspections.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.3: Inspection Commitments

- ☐ Annually, inspect at least 20% of the LQG universe (based on 2011 biennial report filers.)
- ☐ Inspect other generators (SQGs, CESQGs) consistent with state priorities.
- ☐ Investigate complaints based on priority system developed by State; perform inspections if appropriate, do whatever follow-up is necessary.
- ☐ Annually, inspect 50% (statutorily mandated) of all TSDs with a current operating permit for active permitted units; inspect commercial facilities (twice per year).

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- ☐ At least once every three (3) years, EPA and Ohio EPA inspect Treatment, Storage and Disposal Facilities that are no longer in the operating universe but still have compliance requirements. These inspections are required in the January 2010 Compliance Monitoring Strategy from the Office of Enforcement and Compliance Assurance.
- ☐ Complete financial record reviews received during the FFY.

Strategic Goal – Enforcement

Ohio EPA Contact: Bruce McCoy	USEPA Contact: Michael Cunningham	Due Date: FY 2014 through 2015
USEPA Role: Issue enforcement responses to violations of the hazardous waste rules identified by USEPA or referred by Ohio EPA in accordance with USEPA's 2003 Hazardous Waste Civil Enforcement Response Policy, USEPA's 2003 RCRA Civil Penalty Policy, and relevant USEPA enforcement strategies.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.4: Timely and Appropriate Enforcement (USEPA Goal 5: Enforcing Environmental Laws, Objective 5.1: Enforce Environmental Laws)

Ohio EPA will issue enforcement responses to RCRA hazardous waste violations in accordance with Ohio EPA's enforcement response strategy and USEPA's 2003 Hazardous Waste Civil Enforcement Response Policy.

Strategic Goal – RCRAInfo

Ohio EPA Contact: Paula Canter	USEPA Contact: Darnell Wilson	Due Date: FFY 2014 through 2015
USEPA Role: Provide technical and programmatic assistance to the states and region.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.5: Data Entry Commitments

Enter RCRA hazardous waste information into RCRAInfo on an ongoing basis in all required RCRAInfo modules.

Strategic Goal – Rule/Program Development

Ohio EPA Contact: Dan Harris	USEPA Contact: Gary Westefer	Due Date: FFY 2014 through 2015
USEPA Role: Provide technical and programmatic assistance to the states and region.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.6: Rule Development/Authorization Applications

Develop equivalent rules and program revision applications for RCRA and HSWA/non-HSWA provisions for which the State is prepared to seek authorization and submit current and future authorization packages within a mutually agreed-upon timeframe.

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Objective 5.7: Program Development

Ohio EPA will work to promulgate new and amended Ohio hazardous waste rules to address the RCRA Subparts AA, BB, & CC Rules and the Solvent Contaminated Wipes Rule.

Ohio EPA will share the results of their efforts with USEPA.

Division of Materials and Waste Management

Solid Waste and C&DD Program Elements

Strategic Goal – Encourage Sustainable Practices and Increase Ohio's Reuse and Recycling of Waste Materials to Stimulate Economic Growth.

Ohio EPA Contact: Harry Sarvis	USEPA Contact: Jerri-Anne Garl	Due Date: On-going
USEPA Role: Provide advice and guidance.		Status:
Funding Source FFY 2014: State Funding	FFY 2015: State Funding	

Objective 6.1: Reuse and Recycling of Waste Materials (USEPA Goal 3: Cleaning Up Communities and Advancing Sustainable Development, Objective 3.1: Promote Sustainable and Livable Communities)

Organics Recycling

Ohio EPA will continue promoting alternatives to landfill disposal (composting, anaerobic digestion, etc.) for food scraps and will work with stakeholders to develop similar strategies for other organic wastes. Ohio EPA will provide detailed plans and schedules to USEPA when finalized.

USEPA will continue to support Ohio EPA's efforts and will look for opportunities to jointly promote sustainable food waste management.

C&DD Recycling

Ohio EPA will work with the C&DD recycling industry to identify obstacles to C&DD recycling and develop best management practices for the operation of C&DD recycling facilities. Ohio EPA will provide detailed plans and schedules to USEPA when finalized.

USEPA will continue to facilitate access to other states' programs

Beneficial Use of By-Products

Ohio EPA will work with interested stakeholders to develop a broad beneficial use regulatory program rules to allow for the safe use of various by-products including foundry sands, coal combustion residuals, and non-hazardous secondary materials are not solid wastes when burned in combustion units consistent with USEPA's final rule adopted on March 21, 2011.

USEPA will continue to respond to Ohio EPA's requests for information regarding foundry sand and will facilitate access to other states for information.

Office of Compliance Assistance and Pollution Prevention

Strategic Goal – Measurement of Compliance Assistance Activities

Ohio EPA Contact: Rick Carleski	USEPA Contact: Donna Howard	Due Date: Ongoing
USEPA Role: Provide advice and guidance		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.1: Measure compliance assistance provided to businesses and other organizations in Ohio using formats developed by USEPA's Small Business Environmental Assistance Program/Small Business Ombudsman Office and submit this information annually to USEPA.

- ☐ Complete weekly, monthly and quarterly reporting of compliance assistance and pollution prevention activities.
- ☐ Compile weekly, monthly and quarterly reports in both calendar and state fiscal year formats.
- ☐ Enter information into format provided by USEPA's Small Business Environmental Assistance Program/Small Business Ombudsman Office and submit to USEPA by deadline.
- ☐ Provide compiled report(s) to USEPA Region 5 by September 30 each year.

Strategic Goal – Environmental Stewardship Program

Ohio EPA Contact: Mike Kelley	USEPA Contact: Julie Magee	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status: Partially Complete
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.2: Develop and implement an environmental performance-based program to recognize Ohio businesses and other organizations for environmental stewardship activities.

- ☐ Finalize development of an environmental performance-based program to recognize Ohio businesses and other organizations for environmental stewardship activities by January 1, 2014.
- ☐ Provide program and implementation information to USEPA Region 5 as completed.
- ☐ Ohio EPA and USEPA will approve final program for those elements impacting federal requirements and delegated programs by January 1, 2014.
- ☐ Ohio EPA and USEPA will develop a joint work plan on roles and responsibilities, implementation processes and an agreement document, if appropriate, by summer 2014.

Strategic Goal – Green Chemistry

Ohio EPA Contact: Mike Kelley	USEPA Contact: Janet Haff	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.3: Toxic chemicals reduction through Green Chemistry

- ☐ Reduce toxic chemicals and encourage the adoption of Green Chemistry principles by promoting waste minimization and P2 opportunity assessments.
- ☐ Develop marketing materials to encourage businesses to reduce toxic chemicals through Green Chemistry.

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- ☐ Assist USEPA in marketing programs to encourage business participation in Green Chemistry related programs.
- ☐ Assist USEPA and other partners in providing a Green Chemistry event in Ohio in 2014.
- ☐ Market, promote and participate in the Safer Chemistry Challenge Program.
USEPA will work with Ohio EPA to expand Green Chemistry through the development of partnerships incorporating waste minimization, P2 and sustainable materials management concepts.

Strategic Goal – Auto Body Environmental Results Project

Ohio EPA Contact: Rick Carleski	USEPA Contact: Rae Trine	Due Date: Ongoing
USEPA Role: Provide advice and guidance per Region 5 State Innovation Grant (SIG).		Status: Partially Complete
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.4: Auto Body Environmental Results Project Regional Pilot

- ☐ Continue education and marketing efforts to assist auto body shops in complying with state and federal rules.
- ☐ Review drafts of final report and work with other states to provide comments.
- ☐ Complete outreach activities to publicize results of the final report.

Strategic Goal – USEPA Region 5 Small Business Environmental Assistance Program Group

Ohio EPA Contact: Rick Carleski	USEPA Contact: Donna Howard	Due Date: Ongoing
USEPA Role: Coordinate meetings, liaison with states and provide guidance and advice on activities.		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.5: Small Business Environmental Assistance Program Group

- ☐ Support Small Business Environmental Assistance Program efforts and participate in annual meetings to coordinate activities and share information on program initiatives.
- ☐ Assist in identifying measurement, training and educational materials needed by small businesses to comply with state and federal rules.

Office of Compliance Assistance and Pollution Prevention

Strategic Goal – ME3: Materials, Economy, Energy and Environment

Ohio EPA Contact: Dave Foulkes	USEPA Contact: Donna Twickler	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.6: ME3 – Economy, Energy and Environment Sustainability and By-Product Synergy Integration Project

- ☐ Serve as state-level contact for the ME3 effort.
- ☐ Assist the Mid-Ohio Regional Planning Commission and Ohio By-Product Synergy Network in developing outreach and education materials to promote business participation in ME3.
- ☐ Provide pollution prevention and compliance assistance information to ME3 coordinators and participants.
- ☐ Review and comment on draft ME3 program documents.
- ☐ Participate in periodic conference calls, meetings and events to promote business participation in ME3.

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Measures to Ensure Optimal Corrosion Control Treatment

State Perspective



Stacy Jones
Regulatory Implementation Specialist
Indiana Department of
Environmental Management

U.S. Environmental Protection Agency
NDWAC Lead and Copper Working Group

Acronyms

- CCT – Corrosion Control Treatment
- LSL – Lead Service Line
- OCCT – Optimal Corrosion Control Treatment
- OWQP – Optimal Water Quality Parameters
- POU – Point of Use
- WQP – Water Quality Parameters

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Goals/Objectives of Rule Change

Enhance the process for systems to improve the effectiveness of their corrosion control treatment; ensure adequate incentives for optimization and provide greater clarity about treatment optimization.

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Questions to be Answered

- How long does it take systems to complete the OCCT process and reach compliance? What is the timing for all of the steps? How often do systems miss their deadlines for the various parts of the compliance process?
- What data and analysis is used by systems and states to optimize their CCT? What is currently required in an OCCT study? How long does it take to conduct an OCCT study?
- Across states, how are the OWQPs selected and set, and what are their typical ranges?
- How often do systems with OCCT in place meet their OWQPs but exceed the action level for lead or copper?

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Optimization Definitions – (b)(1)

- A small or medium-sized system is deemed to have optimized corrosion control if the system meets the lead and copper action levels during each of 2 consecutive 6-month monitoring periods.

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Optimization Definition – (b)(2)

- Any water system may be deemed by the state to have optimized CCT if the system demonstrates to the satisfaction of the state that it has conducted activities equivalent to the corrosion control steps applicable to the system....

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Optimization Definition – (b)(3)

- Any water system is deemed to have optimized corrosion control if it submits results of tap water monitoring and source water monitoring that demonstrates for 2 consecutive 6-month monitoring periods that the difference between the 90th percentile tap water lead level and the highest source water lead level is less than the practical quantitation level for lead.

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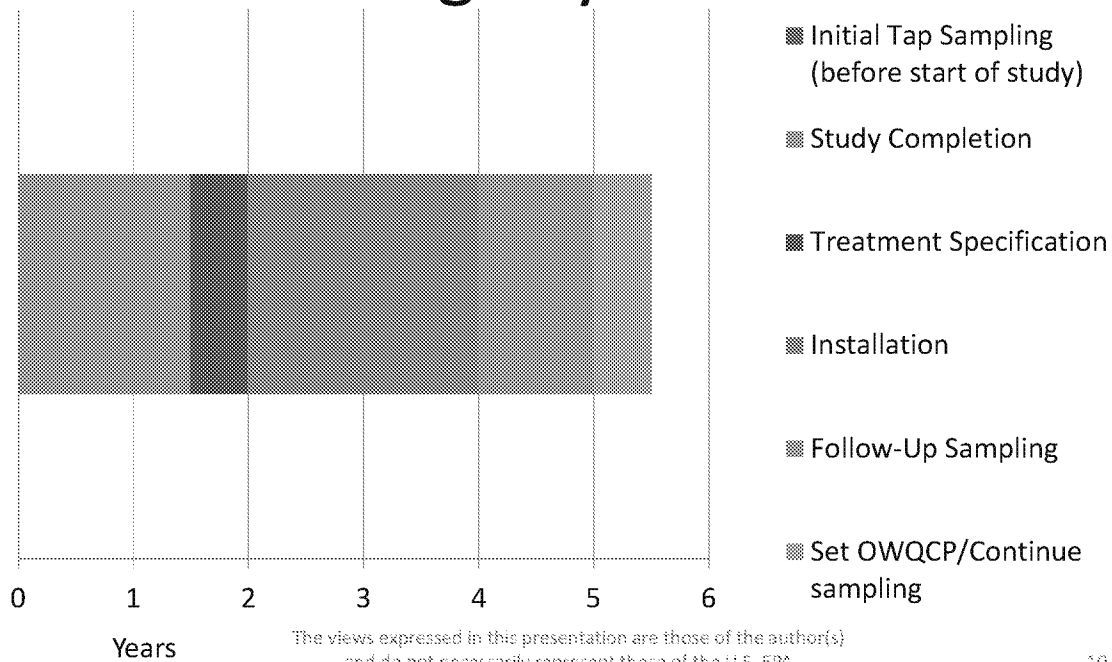
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Optimization Process Steps

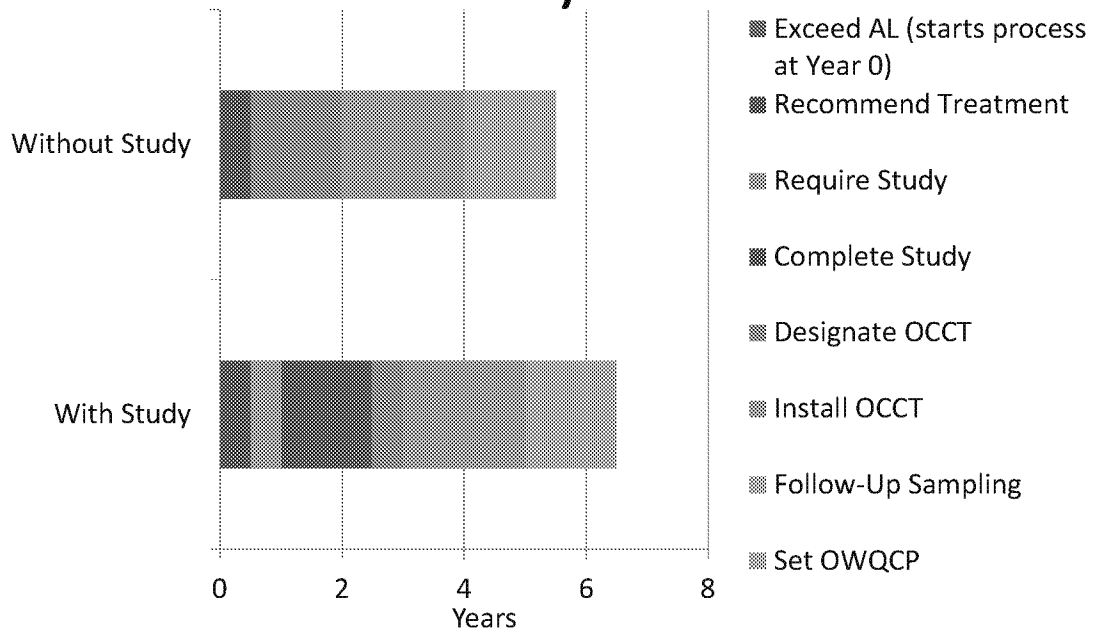
1. Conduct monitoring
2. Conduct a CCT study
3. Obtain state designated OCCT
4. Adjust existing CCT
5. Conduct follow-up monitoring
6. Obtain state review of installation of CCT and designation of OWQPs
7. Operate the treatment in compliance with OWQPs.

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Large Systems

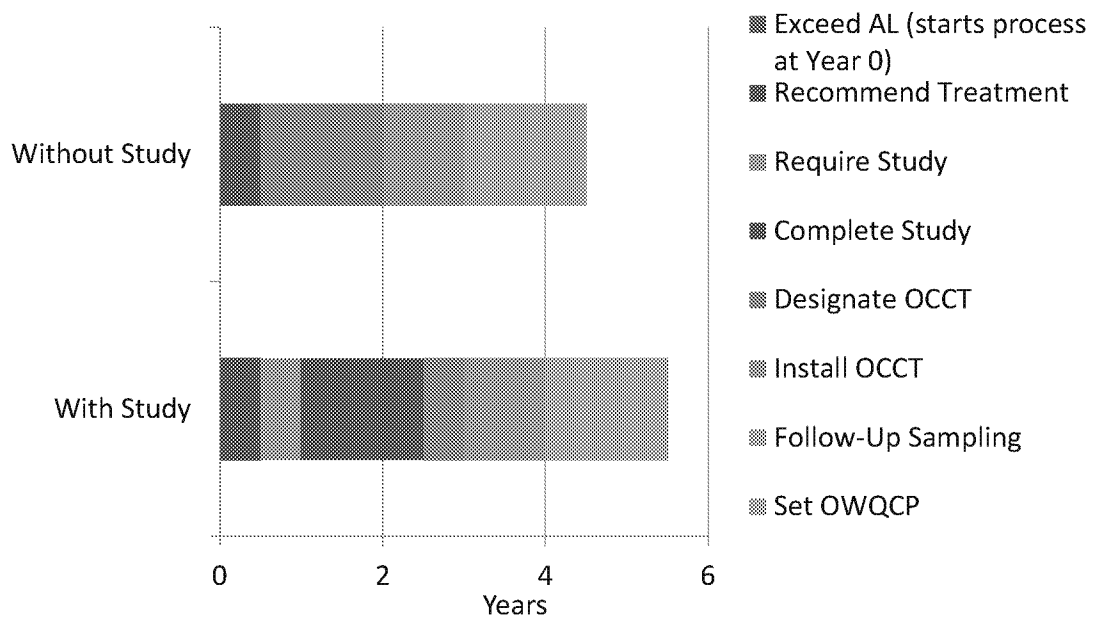


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Medium Systems



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Small Systems



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- How often do systems miss their deadlines for various parts of the compliance process?
- Varies due to size and complexity of the system.
- System could miss a deadline because the state also missed a deadline (or vice versa)

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It really depends on the size of the system how often they miss deadlines for the various parts of the compliance process. It can also be that the system misses a deadline for a part of the process because the state missed a deadline that occurs earlier. It would be easier to implement if the rule just required treatment to be installed no later than a certain amount of time after the action level was exceeded and allow the system and the state to work together to ensure it happens by the final deadline.

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What happens at a small or medium system when an
action level is exceeded?

The next question asked was “what happens at a small or medium system when an action level is exceeded”? I am going to show you what is supposed to happen and also what usually does happen.

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What is supposed to happen

- System receives letter from State instructing them to collect water quality parameters and source water samples
 - In most instances (unless the state has specified additional sampling), no more lead and copper tap sampling occurs until after installation of OCCT
- Data is evaluated to ensure source water treatment is not required

Required Water Quality Parameters

pH, Alkalinity, Calcium, Conductivity, temperature – if phosphate or silicate are used, they also monitor for orthophosphate and/or silicate

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- Treatment options are evaluated
- Treatment recommendation is made
- Treatment is installed
- Lead and copper follow-up tap sampling begins
- OWQCP are set

Allowable Treatment Options

1. Alkalinity and pH Adjustment
2. Calcium Hardness Adjustment
3. The addition of a phosphate or silicate-based inhibitor at a concentration sufficient to maintain an effective residual concentration in all test samples.

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What actually happens

- System receives letter from State instructing them to collect water quality parameters and source water samples
- Samples are collected and submitted
- System either considers installing what seems to work for most systems in the state or begins sampling again to show treatment is not needed

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Implementation Issues – Small and Medium Systems

- When do samples need to be collected?
- Should state be “recommending” specific treatment?
- Lack of resources for tracking all follow-up
- Only rule where you exceed something and monitoring stops

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What data and analysis is used by systems and states to optimize their CCT?

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The data used by systems and states to optimize corrosion control treatment really varies depending on what the water quality is in the area. Ground water in Indiana has a high alkalinity and high calcium levels. Adding calcium carbonate to the water is not a viable treatment option for small ground water systems in Indiana. However, in parts of the northeast, the water has a very low alkalinity and calcium carbonate precipitation is still a valid option.

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What is currently required in an OCCT study?

- Lead and Copper Rule Guidance Manual, Volume II: Corrosion Control Treatment (1992)
- Effects of pH, DIC, Orthophosphate and Sulfate on Drinking Water Cuprosolvency (1995)
- Evaluation of data using U.S. EPA Revised Guidance Manual for Selecting Lead and Copper Control Strategies (2003)

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To know what would currently be involved in an optimal corrosion control treatment study, you would need to go back to the guidance on the rule.

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How long does it take to conduct an OCCT study?

- Depends on system size and guidance used

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How long it takes to complete a study really does depend on the size and complexity of the system. I am going to show you an example for a nontransient noncommunity water system with a copper action level exceedance.

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Small System WQP Data

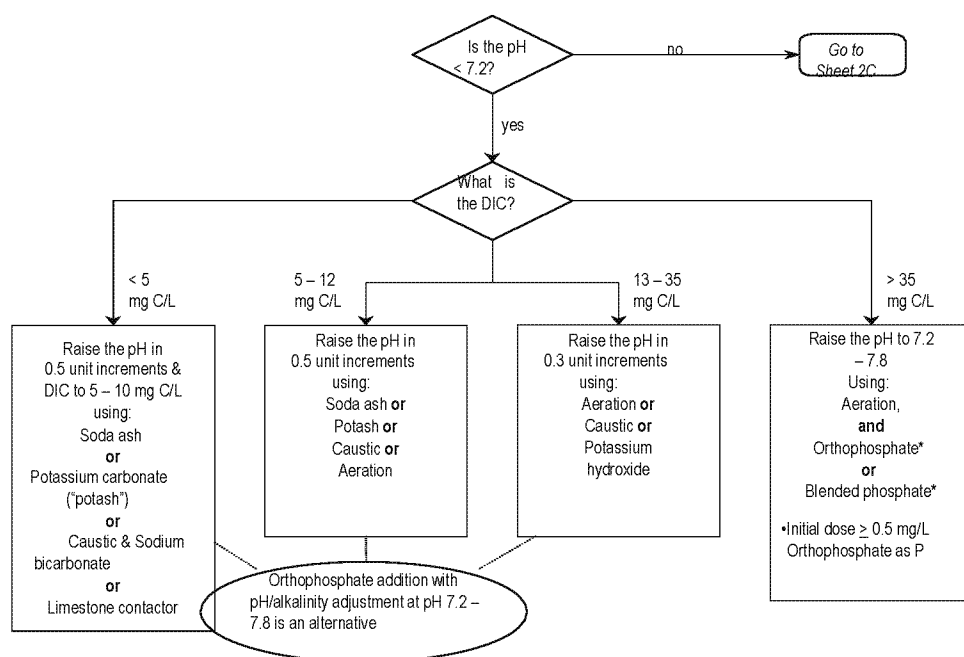
- pH – 7.0
- Alkalinity – 250 mg/L
- Calcium – 85.9 mg/L
- Conductivity – 688 µmhos/cm
- Temperature – 14 ° C
- DIC – 69 mg C/L

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Here is their water quality parameter data at their entry point (very similar numbers in the distribution system). As you can see, they have very high alkalinity and calcium levels.

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*Revised Guidance Manual for
 Selecting Lead and Copper Control Strategies*

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March 2003

I am now going to walk us through the Guidance Manual on Selecting Lead and Copper Control Strategies. The pH for this system is less than 7.2, so we are on the right chart. Based on the DIC chart, the DIC for this system is 69 mg C/L. By following the chart to the box for DIC greater than 35 mg C/L, this system would need to raise their pH to at least 7.2 to meet the optimal pH for phosphates to work and would then need to feed orthophosphate or a blended phosphate starting at a feed rate of at least ½ a part per million. The other option this system would have, since they have control over all of the distribution system plumbing, would be to remove and replace all copper piping within the system and resample to show that replacement was a valid treatment option.

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Across states, how are the OWQPs selected and set?

- Varies by state, but most set either ranges or minimum levels for at least pH and phosphate
- In most cases, ranges are set based on what the system met during their follow-up sampling while lead and copper were below the action level

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How often do systems with OCCT in place meet their OWQPs but exceed the action level for lead or copper?

- Not often based on how OWQPs are being set
- In most cases, parameters are set based on what a system can/could meet during sampling in which they were below the Action Level
- Not easily tracked

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Most large systems will meet both. In most cases, if they are not meeting their optimal water quality parameters they still are meeting the lead and copper action levels. Most states are not setting parameters for small or medium-sized systems. If they are, they are generally the same parameters state-wide. A minimum pH and Alkalinity level will be set or a minimum orthophosphate level will be set. The majority of the states do not have a way to easily implement and track this requirement for small and medium systems.

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Tale of 2 Colleges – Purdue/Notre Dame

- In 1992, both were medium size water systems
- July-Dec 1992 Monitoring Period
 - Purdue
 - Pb90 = 0.0355 mg/L
 - Cu90 = 0.83 mg/L
- Jan-June 1993 Monitoring Period
 - Notre Dame
 - Pb90 = 0.016 mg/L
 - Cu90 = 0.34 mg/L

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Purdue

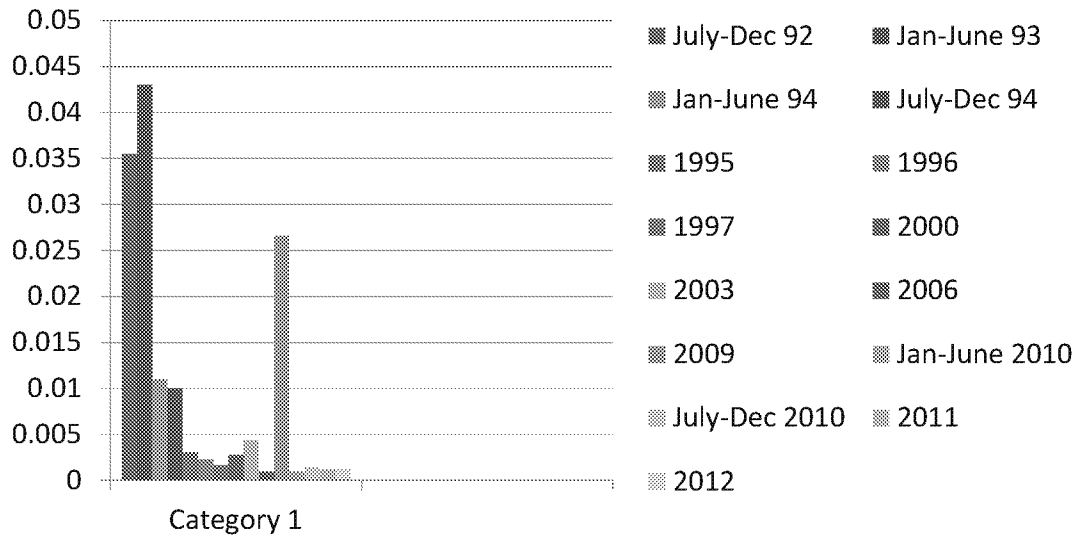
- Purdue chose to feed a proprietary Orthophosphate blend
- Original exceedance during July-Dec 1992 monitoring period
- Re-exceeded during 2006 triennial monitoring

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Purdue Pb90 Levels in mg/L



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Notre Dame

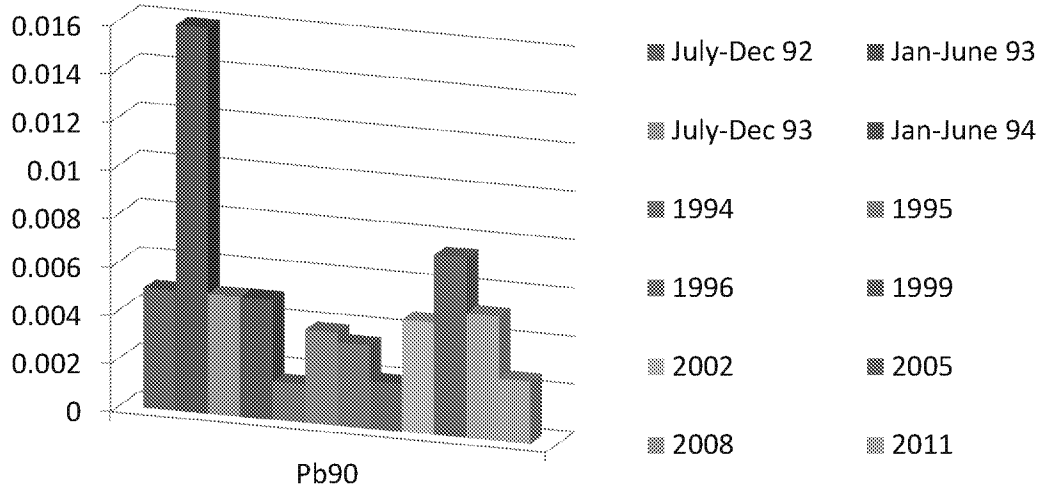
- Notre Dame had recently undergone a campus-wide remodeling
- All locations that tested high for lead were from newly installed fixtures
- Treatment recommendation was to replace all the new fixtures that had just been replaced during the previous year

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Notre Dame – Pb90 Levels in mg/L



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Summary

1. The Lead and Copper Rule is very complex.
2. Corrosion Control Treatment requirements are one of the most confusing parts of the rule.
3. They are also among the most difficult aspects to implement.

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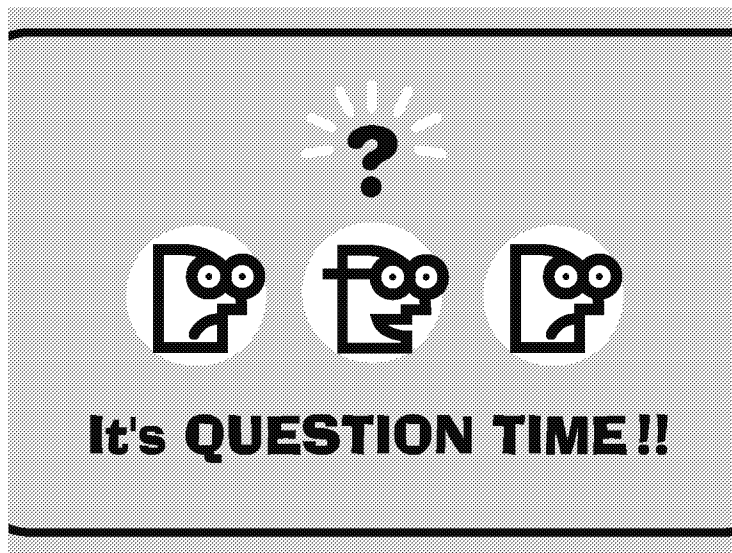
Recommendations

- Define “optimized” using an enforceable target for large systems.
- Have systems that don’t meet optimization definition do additional analysis to determine holistic (all rules) compliance recommendation – then allow time for implementation
 - Options could include targeted service line replacement, increased phosphate feed rates or other additional treatment options (will vary based on ground water vs. surface water, whether there are lead service lines, etc.)

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Chicago Water Main Replacement Work

South Millard Avenue

July/August 2012

After digging the trench they lay the new water main.



The main is wrapped for protection and once the pipe is laid, it is connected (being done here), and the trench is filled with gravel to grade.



After they have installed the new main along the entire block, shock-chlorinated it and the tests come back clean, they start digging it up again to disconnect service lines from the existing main and connect them to the new main. The old main is next to the new one so they have to break up more street to get to the old connections.



Once they dig out the gravel and uncover the new main again, they install a tap fitting using this machine, which drills a threaded hole into the new main, and then a threaded fitting (next pic) is installed using the same machine.



This is what the new fittings (main taps) look like.



They then excavate around the existing lead service line (shown by red arrow) using a shovel.



Next, because they can't get to the old main tap to shut off the water, they use two 2-lb hammers to pound the existing lead service line shut.



Once it's been smashed shut, they have to cut it (next pic).



They cut the LSLs with snips. They cut partially, rotate it, cut more, rotate, etc., until they cut through it.



And of course, if you did not pound it shut well enough, like here, you have a water fountain 😊



More pounding to stop the flow. Since the part being pounded is connected to the old main, it is just pounded shut and left in place.



This is the remaining portion of the LSL to the home, so they will attach this to the new main. Although the cut is clean, there is significant bending of the LSL to bring the edge out and also when connecting to the copper pipe (lead is more flexible than copper, so they typically bend the lead pipe to make the connection).



This is a compression fitting being put on the LSL end.



They cut pieces of copper pipe, slide the coupling over the end and then insert a metal piece to flare the end of the copper tube (next pic)



This is what the flared end of the copper tube looks like.

